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Date: (Filing No. S-)

LABOR AND HOUSING

Reproduced and distributed under the direction of the Secretary of the Senate.

STATE OF MAINE

SENATE

131ST LEGISLATURE

FIRST SPECIAL SESSION

COMMITTEE AMENDMENT “ ” to S.P. 299, L.D. 741, “An Act to Prohibit Training Repayment Agreements by Employers”

Amend the bill by striking out the title and substituting the following:

'An Act to Prohibit Certain Training Repayment Agreements by Employers'

Amend the bill by striking out everything after the enacting clause and inserting the following:

'Sec. 1. 26 MRSA §629, sub-§2-A is enacted to read:

2-A. Training provided or required by employer not loan, debt or advance.

Unless the training costs relate to the attainment of state licensure or another transferable credential, the cost or value of training provided or required by an employer does not constitute a loan, debt or advance for the purposes of this subchapter. For the purposes of this subsection, "state licensure" means education or training paid for by the employer in which the employee becomes certified or credentialed to work in a specific occupation requiring licensure or certification by the State. "Transferable credential" means a credential generally recognized by the relevant industry.

Sec. 2. Appropriations and allocations. The following appropriations and allocations are made.

LABOR, DEPARTMENT OF

Regulation and Enforcement 0159

Initiative: Provides ongoing funds for one half-time Labor and Safety Inspector position and related All Other costs to support the anticipated increase in workload to ensure compliance with the regulation regarding the cost of training provided or required by employers not constituting a loan, debt or advance unless the training costs are related to the attainment of state licensure or another transferable credential.

GENERAL FUND	2023-24	2024-25
POSITIONS - LEGISLATIVE COUNT	0.500	0.500

COMMITTEE AMENDMENT

1	Personal Services	\$33,080	\$46,683
2	All Other	\$5,377	\$7,169
3			
4	GENERAL FUND TOTAL	<u>\$38,457</u>	<u>\$53,852</u>

5

6 Amend the bill by relettering or renumbering any nonconsecutive Part letter or section
7 number to read consecutively.

8

SUMMARY

9 Current law provides that a person, firm or corporation may not require or permit any
10 person as a condition of securing or retaining employment to work without monetary
11 compensation or when having an agreement, oral, written or implied, that a part of such
12 compensation should be returned to the person, firm or corporation for any reason other
13 than for the payment of certain specified costs, including payment of a loan, debt or
14 advance made to the person.

15 This amendment, which is the majority report of the committee, replaces the bill and
16 changes the title. The amendment specifies that unless training costs are related to the
17 attainment of state licensure or another transferable credential, the cost or value of training
18 provided by an employer does not constitute a loan, debt or advance.

19

FISCAL NOTE REQUIRED

20

(See attached)

COMMITTEE AMENDMENT