



# HOUSE OF REPRESENTATIVES

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*Testimony of Rep. Matthew Beck introducing*

## **LD 1587, An Act to Establish Greater Alignment of Penalties for Certain Labor Law Violations**

*Before the Joint Standing Committee on Labor*

Good morning, Senator Tipping, Representative Roeder and my distinguished colleagues of the Joint Standing Committee on Labor. My name is Matthew Beck, and I have the privilege of representing the people of House District 122, part of South Portland.

I am here today to introduce **LD 1587, An Act to Establish Greater Alignment of Penalties for Certain Labor Law Violations**.

As you can see for yourself in the bill summary:

- This bill codifies into Maine law provisions of the federal Fair Labor Standards Act and creates a criminal penalty for any person who intentionally or knowingly violates the employment practices laws or the laws governing preference to Maine works and contractors.

I want to stop here to emphasize those key words, “intentionally or knowingly.” That is a very high threshold, one which is rarely reached to the best of my knowledge. If you have broken labor laws with full knowledge that you are doing so, it is only appropriate, in my view, that you may pay a price for that unlawful behavior.

Committing a labor law violation under this bill would be a Class E Crime (which also includes “theft by taking” under MRSA statute). However, the prosecution of such only comes after an investigation, a finding by the Bureau of Labor Standards, a referral to the Attorney General, and the Attorney General’s decision to take the case and prosecute it. That is also a very high bar.

These provisions already exist in the Federal Fair Labor Standards Act. We are simply mirroring in Maine law the power of the U.S. Department of Labor to pursue a criminal case if they choose to do so. I would hope we could all agree that people who break the law and know they are

breaking the law, ought to face potential consequences. “Don’t do the crime if you can’t do the time.”

Again, nothing here is new. Nothing here is different from existing federal law. No new crimes or penalties are created.

What is new is that many people living and working in this state and many of us serving in this legislature have grave concerns. We are deeply concerned about the commitment of the current administration in Washington, D.C. to enthusiastically and effectively enforce the laws that protect the health, safety and economic well-being of people who work for a living. Maine should have the right to act on their own if the federal government neglects to do so.

I urge you to support LD 1587 to help protect Maine workers who rely on their government for basic workplace protections. I’m happy to answer any questions you may have. Thank you for your consideration.