

MAINE STATE LEGISLATURE

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ONE HUNDRED AND FIRST LEGISLATURE

Legislative Document

No. 482

S. P. 183

In Senate, January 22, 1963

Referred to Committee on Labor. Sent down for concurrence and ordered printed.

Presented by Senator Stitham of Somerset.

STATE OF MAINE

IN THE YEAR OF OUR LORD NINETEEN HUNDRED
SIXTY-THREE

AN ACT Revising the Minimum Wage Law.

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

Sec. 1. R. S., c. 30, § 132-A-1, amended. Section 132-A-1 of chapter 30 of the Revised Statutes, as enacted by section 1 of chapter 277 of the public laws of 1961, is amended to read as follows :

'Sec. 132-A-1. Coverage. Employers employing 4 employees or more in any day of the week are subject to sections 132-A to 132-J for that week, and in the count of employees there shall be included ~~waiters, waitresses, doormen, bellhops and chambermaids; students; and members of the family of the employer~~ all employees otherwise exempt under section 132-B, subsection III.'

Sec. 2. R. S., c. 30, § 132-B, sub-§ III, ¶ D, amended. Paragraph D of subsection III of section 132-B of chapter 30 of the Revised Statutes, as enacted by chapter 362 of the public laws of 1959, is amended to read as follows :

'D. Any individual engaged in the activities of a public-supported nonprofit organization or in a program controlled by an educational nonprofit organization ~~or employed in a private nursing home;~~ or employed in a private hospital;'

Sec. 3. R. S., c. 30, § 132-B, sub-§ V, amended. Subsection V of section 132-B of chapter 30 of the Revised Statutes, as enacted by chapter 362 of the public laws of 1959 and as amended by section 4 of chapter 277 of the public laws of 1961, is further amended to read as follows :

'V. Wages. "Wages" paid to any employee includes compensation paid to such employee in the form of legal tender of the United States, checks on

banks convertible into cash on demand, and includes the reasonable cost to the employer who furnishes such employee board ~~or lodging or other services and benefits;~~

Sec. 4. R. S., c. 30, § 132-G, repealed. Section 132-G of chapter 30 of the Revised Statutes, as enacted by chapter 362 of the public laws of 1959, is repealed.

Sec. 5. R. S., c. 30, § 132-H, sub-§ I, amended. Subsection I of section 132-H of chapter 30 of the Revised Statutes, as enacted by chapter 362 of the public laws of 1959 and as amended by section 7 of chapter 277 of the public laws of 1961, is further amended to read as follows:

'I. Examination of records, books, etc. Every employer subject to sections 132-A to 132-J shall keep a true and accurate record of the hours worked by each employee and of the wages paid, **such records to be preserved by the employer for a period of at least 3 years;** and the commissioner or his authorized representative may, and upon written complaint setting forth the violation of section 132-C, shall have authority to enter the place of business or employment of any employer or employees in the State, as defined in section 132-B, for the purpose of examining and inspecting such records; and copy any or all of such records as he or his authorized representative may deem necessary or appropriate. Any and all information so received shall be considered as confidential and shall not be divulged to any other person or agency except insofar as may be necessary for the enforcement of sections 132-A to 132-J.'

Sec. 6. R. S., c. 30, § 132-I, amended. Section 132-I of chapter 30 of the Revised Statutes, as enacted by chapter 362 of the public laws of 1959 and as amended by section 8 of chapter 277 of the public laws of 1961, is further amended by adding at the end a new paragraph to read as follows:

'In the event of the violation of any of the provisions of sections 132-A to 132-J, the Attorney General may institute injunction proceedings in the Superior Court to enjoin further violation thereof.'

Sec. 7. R. S., c. 30, § 132-J, amended. The first sentence of section 132-J of chapter 30 of the Revised Statutes, as enacted by chapter 362 of the public laws of 1959, is amended to read as follows:

'Any employer ~~who continues in violation of any provision of section 132-C after having received notice from the Commissioner of Labor and Industry~~ shall be liable to the employee or employees affected thereby for the amount of unpaid minimum wages.'