

# MAINE STATE LEGISLATURE

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# 117th MAINE LEGISLATURE

## FIRST REGULAR SESSION-1995

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Legislative Document

No. 265

H.P. 206

House of Representatives, January 27, 1995

**An Act to Provide a Cost-of-Living Adjustment to Minimum Wage Earners.**

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Reference to the Committee on Labor suggested and ordered printed.

A handwritten signature in black ink that reads "Joseph W. Mayo".

JOSEPH W. MAYO, Clerk

Presented by Representative SHIAH of Bowdoinham.  
Cosponsored by Representatives: ADAMS of Portland, GATES of Rockport, GOULD of Greenville, GREEN of Monmouth, HATCH of Skowhegan, JONES of Bar Harbor, JOSEPH of Waterville, LUTHER of Mexico, RICHARDSON of Portland, SAMSON of Jay, STEVENS of Orono, TOWNSEND of Portland, TREAT of Gardiner, TUTTLE of Sanford, VOLENIK of Sedgwick, WATSON of Farmingdale, Senators: PARADIS of Aroostook, RAND of Cumberland.

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

2                   **Sec. 1. 26 MRSA §663, sub-§14** is enacted to read:

4                   **14. Consumer Price Index.** "Consumer Price Index" means the  
6 Consumer Price Index for Urban Wage Earners and Clerical Workers:  
8 United States City Average, All items, 1967=100, as compiled by  
10 the United States Department of Labor, Bureau of Labor Statistics  
12 or, if that index is revised or superseded, "Consumer Price  
Index" means the index represented by the Bureau of Labor  
Statistics as reflecting most accurately changes in the  
purchasing power of the dollar by consumers.

14                   **Sec. 2. 26 MRSA §664, first ¶,** as amended by PL 1991, c. 507,  
16 §2, is further amended to read:

18                   By reason of the declaration of policy set forth in section  
20 661 and in the protection of the industry or business and in the  
22 enhancement of public interest, health, safety and welfare, it is  
24 declared unlawful for any employer to employ any employee, except  
26 as otherwise provided in this subchapter, at the rate of less  
28 than ~~\$3.65 per hour in 1987 and \$3.75 per hour starting January~~  
30 ~~1, 1989 and \$3.85 per hour starting January 1, 1990, but in no~~  
32 ~~case may the minimum hourly wage exceed the average minimum~~  
34 ~~hourly wage of the 5 other New England states; \$4.25 per hour or~~  
36 ~~to require any employee to work more than 40 hours in one week,~~  
38 ~~unless 1 1/2 times the regular hourly rate is paid for all work~~  
40 ~~done over 40 hours in any one week; and whenever the highest~~  
42 ~~federal minimum wage is increased in excess of the minimum wage~~  
44 ~~established under this section, the minimum wage must be~~  
increased to the same amount, effective on the same date as the  
increase in the highest federal minimum wage, but in no case may  
the minimum wage exceed \$5 per hour. The minimum hourly wage  
established by this section must be increased every January by  
the percent increase, if any, in the Consumer Price Index for the  
preceding calendar year. The overtime provision of this section  
does not apply to mariners; the canning, processing, preserving,  
freezing, drying, marketing, storing, packing for shipment or  
distribution of herring as sardines, of perishable foods, of  
agricultural produce and meat and fish products, nor to the  
canning of perishable goods; nor to hotels, motels, restaurants  
and other eating establishments; public employees; nor to  
automobile mechanics, automobile parts clerks or automobile sales  
representatives.

46  
48                   **STATEMENT OF FACT**

50                   This bill requires that the State's minimum hourly wage be  
increased each year by the amount of the percent increase in the  
Consumer Price Index.