

# MAINE STATE LEGISLATURE

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ONE - HUNDRE D T H    L E G I S L A T U R E

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Legislative Document

No. 156

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H. P. 116

House of Representatives, January 10, 1961.

Referred to Committee on Labor. Sent up for concurrence and 750 copies ordered printed.

HARVEY R. PEASE, Clerk

Presented by Mr. Kimball of Mount Desert.

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STATE OF MAINE

IN THE YEAR OF OUR LORD NINETEEN HUNDRED  
SIXTY-ONE

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An Act Amending the Minimum Wage Law.

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

**Sec. 1. R. S., c. 30, § 132-B, sub-§ III, ¶ C, amended.** Paragraph C of subsection III of Chapter 30 of section 132-B of the Revised Statutes, as enacted by chapter 362 of the public laws of 1959, is amended to read as follows :

‘C. Any individual employed as a ~~waiter, waitress or~~ service employee who customarily receives ~~the major portion of his remuneration in the form of gratuities or tips as a part of his compensation ;~~’

**Sec. 2. 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, is 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 ~~also~~ includes the reasonable cost ~~which shall be consistent with the rules and regulations as set forth by the Employment Security Commission to the employer of furnishing such employee with board, lodging or other facilities as are customarily furnished by such employer to his employee and used by employees, provided that in the computation of such wages there shall be included tips, gratuities and commissions of every kind who furnishes such employee board, lodging or other services and benefits.~~’

**Sec. 3. 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, is amended to read as follows :

**I. Examination of records, books, etc.** 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 any or all books, registers, payrolls and other records of any such employer that in any way relate to or have a bearing upon the question of wages, hours and other conditions of employment of any such employees; copy any or all of such books, registers, payrolls and other records as he or his authorized representative may deem necessary or appropriate; and question such employees in the presence of the employer or his authorized agent for the purpose of ascertaining whether sections 132-A to 132-J have been and are being complied with. 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. 4. R. S., c. 30, § 132-H, sub-§ III, additional.** Section 132-H of the Revised Statutes, as enacted by chapter 362 of the public laws of 1959, is amended by adding a new subsection III, to read as follows:

**'III. No discrimination because of complaint. No employer shall discharge or in any other manner discriminate against any employee because such employee makes a complaint to the commissioner or county attorney concerning a violation of sections 132-A to 132-J.'**