

MAINE STATE LEGISLATURE

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ONE HUNDRED AND SECOND LEGISLATURE

Legislative Document

No. 1313

S. P. 416

In Senate, February 19, 1965

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

EDWIN H. PERT, Secretary

Presented by Senator Norris of Oxford.

STATE OF MAINE

IN THE YEAR OF OUR LORD NINETEEN HUNDRED
SIXTY-FIVE

AN ACT Revising the Minimum Wage Law.

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

Sec. 1. R. S., T. 26, § 662, amended. Section 662 of Title 26 of the Revised Statutes is amended to read as follows:

§ 662. Coverage

Employers employing ~~4 employees or more~~ anyone in any day of the week are subject to this subchapter 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 otherwise exempt under section 663, subsection 3.

Sec. 2. R. S., T. 26, § 663, sub-§ 3, ¶¶ C to G, amended. Paragraphs C to G of subsection 3 of section 663 of Title 26 of the Revised Statutes are amended to read as follows:

C. Any individual employed as a waiter, waitress, car hop, not to include counter waiters or waitresses, or those whose tips are required to be divided with others; doorman or bellhop ~~or as a chambermaid in a resort establishment~~; or those employees whose earnings are derived in whole or in part from sales commissions and whose hours and places of employment are not substantially controlled by the employer;

D. ~~Any individual employed as a taxicab driver;~~

E. Any individual engaged in the activities of a public-supported nonprofit organization or in a program controlled by an educational nonprofit organiza-

tion or employed in a private nursing home; or employed in a private hospital;

F. Those employees who are counselors or junior counselors at summer camps for boys or girls; or employees of any business who are under the age of 19 and are regularly enrolled in an educational institution, or are on vacation therefrom;

G. Any individual employed in the catching, taking, harvesting, cultivating or farming of any kind of fish, shellfish, crustacea, sponges, seaweeds or other aquatic forms of animal and vegetable life, including the going to and returning from work and including employment in the loading, unloading or packing of such products for shipment or in propagating, processing (other than canning), marketing, freezing or curing storing or distributing the above products or by-products thereof; or any individual employed as a smoked fish worker;

Sec. 3. R. S., T. 26, § 664, amended. Section 664 of Title 26 of the Revised Statutes is amended to read as follows:

‘§ 664. Compliance required

By reason of the declaration of policy set forth in section 661 and in the protection of the industry or business and in the enhancement of public interest, health, safety and welfare, it is declared unlawful for any employer to employ any employee except as otherwise provided in this subchapter at the rate of less than ~~¢~~ \$1.15 per hour for one year starting October 15, 1965 and thereafter \$1.25 per hour; nor work more than 40 hours in any one week, unless 1½ times the hourly rate is paid for all work done over 40 hours in any one week.’

Sec. 4. R. S., T. 26, § 665, sub-§ 1, amended. The first sentence of subsection 1 of section 665 of Title 26 of the Revised Statutes is amended to read as follows:

‘Every employer subject to this subchapter shall keep a true and accurate record of the hours worked by each employee and of the wages paid; and the commissioner or his authorized representative may, and upon written complaint setting forth the violation of section 664, shall have authority to enter the place of business or employment of any employer or employees in the State, as defined in section 663, 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.’

Sec. 5. R. S., T. 26, § 669, amended. The first sentence of section 669 of Title 26 of the Revised Statutes is amended to read as follows:

‘Whenever the commissioner obtains information on his own volition or has information that any employer is violating this subchapter, he shall notify such employer immediately by registered mail of such violation and order such employer to comply with this subchapter.’