

MAINE STATE LEGISLATURE

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(EMERGENCY)

ONE HUNDRED AND SEVENTH LEGISLATURE

Legislative Document

No. 1383

H. P. 1102

House of Representatives, March 24, 1975

On Motion of Mr. Tierney of Durham, referred to the Committee on Labor.
Sent up for concurrence and ordered printed.

EDWIN H. PERT, Clerk

Presented by Mr. Farley of Biddeford.

STATE OF MAINE

IN THE YEAR OF OUR LORD NINETEEN HUNDRED
SEVENTY-FIVE

AN ACT Relating to Certain Exemptions under the Minimum Wage Law.

Emergency preamble. Whereas, Acts of the Legislature do not become effective until 90 days after adjournment unless enacted as emergencies; and

Whereas, the cost of living has risen precipitously in recent years; and

Whereas, it is of vital concern to the Legislature that workers in the important hotel, motel and restaurant businesses are paid sufficient wages to insure their own well-being and that of their families; and

Whereas, in the judgment of the Legislature, these facts create an emergency within the meaning of the Constitution of Maine and require the following legislation as immediately necessary for the preservation of the public peace, health and safety; now, therefore,

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

26 MRSA § 664, first ¶, last sentence, as last repealed and replaced by PL 1969, c. 590, § 41, is amended to read:

The overtime provision of this section shall not apply to seamen, 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.~~

Emergency clause. In view of the emergency cited in the preamble, this Act shall become effective on May 1, 1975.

STATEMENT OF FACT

The purpose of this bill is to remove hotels, motels, restaurants and other eating establishments from their exemption under present Maine law and to require overtime payments after May 1, 1975 at $1\frac{1}{2}$ times the regular hourly rate in compliance with the Fair Labor Standards Act of 1966.