

MAINE STATE LEGISLATURE

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ONE HUNDRED AND EIGHTH LEGISLATURE

Legislative Document

No. 1502

H. P. 1274

House of Representatives, April 11, 1977

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

EDWIN H. PERT, Clerk

Presented by Mr. Bustin of Augusta.

STATE OF MAINE

IN THE YEAR OF OUR LORD NINETEEN HUNDRED
SEVENTY-SEVEN

AN ACT to Establish a Sliding Scale Minimum Wage Law

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

Sec. 1. 26 MRSA § 663, sub-§ 10 is enacted to read:

10. Total annual sales. "Total annual sales" means the gross receipts of an industry or business, or businesses individually owned by operating under a joint or national franchise agreement, as reported during a taxable year.

Sec. 2. 26 MRSA § 664, 1st ¶, as amended by PL 1975, c. 352, is repealed and the following enacted in its place:

In the enhancement of public interest, health, safety and welfare, and in the protection of the industry and the encouragement of small business, it shall be unlawful to employ an employee at a rate less than the following, except as otherwise provided in this subchapter: No employee of a business or industry with total annual sales of \$200,000 or less, shall be employed at the rate of less than \$2.30 per hour; no employee of a business or industry with total annual sales in excess of \$200,000, but less than \$400,000, shall be employed at the rate of less than \$2.50 per hour; no employee of a business or industry with total annual sales in excess of \$400,000, but less than \$600,000, shall be employed at a rate of less than \$2.70 per hour; no employee of a business or industry with total annual sales in excess of \$600,000, but less than \$800,000, shall be employed at a rate of less than \$2.90 per hour; no employee of a business or industry with total annual sales in excess of \$800,000, but less than \$1,000,000, shall be employed at a rate of less than \$3.10 per hour; no employee of a business or industry with total annual sales in excess of \$1,000,000,

but less than \$2,000,000, shall be employed at a rate of less than \$3.30 per hour; and no employee of a business or industry with total annual sales in excess of \$2,000,000 shall be employed at a rate of less than \$3.50 per hour.

It is additionally unlawful to require any employee to work more than 40 hours in one week, unless $1\frac{1}{2}$ the regular hourly rate is paid for all work done over 40 hours in any one week.

Sec. 3. 26 MRSA § 665, sub-1, as last amended by PL 1971, c. 620, § 13, is further amended by adding at the end a new paragraph to read:

In ascertaining total annual sales of a business or industry the director or his authorized representative shall have access to the taxation records of that business or industry as may be provided on a voluntary basis and as otherwise available by law.

STATEMENT OF FACT

This bill establishes a sliding scale minimum wage, based on the principal that the larger the annual sales of a business, the larger minimum wage it should pay its employees. This bill will therefore make it easier to start up a small business, because the wages that business will have to pay will be smaller. At the same time, when the business grows, so will the wages which the business will pay its employees.