

MAINE STATE LEGISLATURE

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STATE OF MAINE
HOUSE OF REPRESENTATIVES (Filing No. H-238)
109TH LEGISLATURE
FIRST REGULAR SESSION

COMMITTEE AMENDMENT "A" to H.P. 435, L.D. 552 Bill,
"AN ACT to Require that all Public Employees be Paid at Least
the Federal Minimum Wage."

Amend the Bill in section 2 by inserting at the end
the following underlined sentence:

'Public employee " does not include any officer or official
elected by popular vote or appointed to office pursuant to
law for a specified term or any person defined in subsection 7.'

Further amend the Bill by inserting after section 3 the
following:

'Sec. 4. 26 MRSA §664, first ¶, last sentence, as repealed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, nor to public employees.'

Further amend the Bill by renumbering section 4 to be
section 5.

Further amend the Bill by striking out all of section 5 and
inserting in its place the following:

'Sec. 6. Compliance. The State or any local public employer need not adhere to the requirements of this Act prior to the beginning of the employer's fiscal year which immediately follows the effective date of this Act.'

Fiscal Note

It is estimated that there are 217 state employees now being paid less than the minimum wage. The estimated cost to bring them up to \$2.90 would be \$13,700 per full year. If the minimum wage is increased above \$2.90, this appropriation would have to be increased accordingly. For instance, a \$3.10 per hour minimum wage would cost approximately \$103,000.

In addition, this bill would have an impact on local and county expenditures as well as school districts which would result in increased cost of reimbursement through the Educational Subsidy Program 2 years after enactment.

Statement of Fact

The purposes of this amendment are to:

1. Exclude from this bill officers or officials elected or appointed for a specified term;
2. Exempt public employees from the current provision requiring "time and a half" pay for overtime work;
3. Allow public employers, if they wish, to delay implementing this bill until their next fiscal year; and
4. Delete retroactive provision.

Reported by the Committee on Labor
Reproduced and distributed under the direction of the
Clerk of the House.

4/19/79 (Filing No. H-238)