

# MAINE STATE LEGISLATURE

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FIRST REGULAR SESSION

ONE HUNDRED AND NINTH LEGISLATURE

Legislative Document

No. 1101

S. P. 353

In Senate, March 9, 1979

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

Presented by Senator Trafton of Androscoggin.

MAY M. ROSS, Secretary of the Senate

STATE OF MAINE

IN THE YEAR OF OUR LORD NINETEEN HUNDRED  
SEVENTY-NINE

**AN ACT to Require that Public School Employees Receive the Minimum Wage.**

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

**Sec. 1. 26 MRSA § 663, sub-§ 3, ¶ E, as amended by PL 1965, c. 410, § 2, is repealed and the following enacted in its place:**

**E. Any individual engaged in the activities of a public supported nonprofit organization or an educational nonprofit organization, neither of which is a political body, or its subdivision;**

**Sec. 2. 26 MRSA § 663, sub-§ 10 is enacted to read:**

**10. Public school employees. "Public school employees" are considered employees within the meaning of this section and include any person who is employed by a Maine public school.**

**Sec. 3. 26 MRSA § 664, first ¶, as last amended by PL 1975, c. 352, is further amended to read:**

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

\$2.30 per hour; or to require any employee, **except a public school employee**, to work more than 40 hours in one week, unless 1½ times the regular hourly rate is paid for all work done over 40 hours in one week; and whenever the highest federal minimum wage is increased in excess of \$2.30 per hour, the minimum wage established under this section shall be increased to the same amount, effective on the same date as the increase in the highest federal minimum wage, but in no case shall the minimum wage exceed ~~\$3~~ \$4 per hour.

#### STATEMENT OF FACT

The purpose of this bill is to require all Maine public employees to be paid at least the federal minimum wage.

Specifically this bill:

1. Rewrites the paragraph which would exempt many public employees and narrows its exemption to employees not specifically hired by a political body or its subdivisions;
2. Includes public school employees within the group of employees in Maine to be covered by the Maine minimum wages' subchapter; and
3. Links Maine's minimum wage to the federal minimum wage, as long as it does not exceed \$4, but exempts public school employees from "time and ½" overtime provision.