

MAINE STATE LEGISLATURE

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1 FIRST REGULAR SESSION
2

3 ONE HUNDRED AND ELEVENTH LEGISLATURE
4

5 Legislative Document

No. 1280

6
7 H.P. 979

House of Representatives, March 22, 1983

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

10 EDWIN H. PERT, Clerk

Presented by Representative Michael of Auburn.

Cosponsors: Representative Beaulieu of Portland and Senator Kany of
11 Kennebec.

12 STATE OF MAINE
13

14 IN THE YEAR OF OUR LORD
15 NINETEEN HUNDRED AND EIGHTY-THREE
16

17 AN ACT Relating to Overtime Pay.
18

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

21 26 MRSA §664, first ¶, as amended by PL 1979, c.
22 516, §3, is further amended to read:

23 By reason of the declaration of policy set forth
24 in section 661 and in the protection of the industry
25 or business and in the enhancement of public inter-
26 est, health, safety and welfare, it is declared
27 unlawful for any employer to employ any employee,
28 except as otherwise provided in this subchapter, at
29 the rate of less than \$2.90 per hour; or to require
30 any employee to work more than 40 hours in one week,
31 unless 1 1/2 times the regular hourly rate is paid
32 for all work done over 40 hours in any one week; and
33 whenever the highest federal minimum wage is
34 increased in excess of \$2.90 per hour, the minimum

1 wage established under this section shall be
2 increased to the same amount, effective on the same
3 date as the increase in the highest federal minimum
4 wage, but in no case shall may the minimum wage
5 exceed \$4 per hour. The overtime provision of this
6 section shall not apply to seamen, the canning, pro-
7 cessing, preserving, freezing, drying, marketing,
8 storing, packing for shipment or distribution of
9 herring as sardines, of perishable foods, of agricul-
10 tural produce and meat and fish products, nor to the
11 canning of perishable goods, nor to hotels, motels,
12 restaurants and other eating establishments, nor to
13 public employees, except that the overtime provision
14 shall apply to individuals performing services for an
15 agricultural enterprise who are not exempt employees
16 under section 663, subsection 3, paragraph A.

17

STATEMENT OF FACT

18 The purpose of this bill is to insure that the
19 overtime provisions of Title 26, section 664 more
20 closely match the minimum wage provisions of section
21 663. Under this bill, employees of an agricultural
22 enterprise who are not exempt from the general cover-
23 age of the law under section 663, subsection 3, will
24 also be covered under the overtime provisions of
25 section 664.

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