

# MAINE STATE LEGISLATURE

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L.D. 678

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DATE: 5/24/95

(Filing No. H- 313 )

MINORITY  
LABOR

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STATE OF MAINE  
HOUSE OF REPRESENTATIVES  
117TH LEGISLATURE  
FIRST REGULAR SESSION

COMMITTEE AMENDMENT "A" to H.P. 497, L.D. 678, Bill, "An Act to Allow Employees to Observe Holidays"

Amend the bill by striking out everything after the enacting clause and before the statement of fact and inserting in its place the following:

'Sec. 1. 26 MRSA §673 is enacted to read:

**§673. Minimum rate for holiday work**

1. Minimum holiday rate. An employer may not require an employee to work on any Christmas Day, New Year's Day, Memorial Day, Fourth of July, Labor Day, Veterans Day or Thanksgiving Day unless the employer pays the employee a minimum of 2 times the employee's regular hourly rate.

2. Exception. This section does not apply to the State, counties, municipalities, school administrative units, the University of Maine System, the Maine Technical College System, restaurants, hotels and motels, hospitals and nursing homes licensed under Title 22, chapter 405, any place of employment where fewer than 3 employees are on duty at one time and any emergency service, including ambulance and rescue services.

**Sec. 2. Appropriation.** The following funds are appropriated from the General Fund to carry out the purposes of this Act.

1995-96

LABOR, DEPARTMENT OF

**COMMITTEE AMENDMENT**

R 48

**Bureau of Labor Standards**

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All Other \$11,259

Provides funds for the cost of revising the regulation of employment poster.'

Further amend the bill by inserting at the end before the statement of fact the following:

**FISCAL NOTE**

1995-96

**APPROPRIATIONS/ALLOCATIONS**

General Fund \$11,259

This bill will require the revision of the regulation of employment poster by the Department of Labor, Bureau of Labor Standards. A General Fund appropriation of \$11,259 in fiscal year 1995-96 is required for printing and mailing costs. If other bills are enacted that also require changes to this poster, the cost properly allocated to this bill can be reduced.

This bill establishes a new civil violation. The additional workload and administrative costs associated with the minimal number of new cases filed in the court system can be absorbed within the budgeted resources of the Judicial Department. The collection of additional fines may increase General Fund revenue by minor amounts.'

**STATEMENT OF FACT**

This amendment replaces the original bill with a provision that requires the employer to pay 2 times the normal rate of pay for hours worked on the specified holidays. The amendment provides an exemption from the holiday pay requirement for the public sector, hospitals and nursing homes, restaurants, hotels, emergency services and small employers. By making the holiday pay requirement part of the Maine Revised Statutes, Title 26, chapter 7, subchapter III the amendment provides the same remedies and penalties that apply to violation of other minimum wage laws. The amendment also adds a fiscal note to the bill.