

# MAINE STATE LEGISLATURE

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# 122nd MAINE LEGISLATURE

## FIRST REGULAR SESSION-2005

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Legislative Document

No. 215

H.P. 166

House of Representatives, January 18, 2005

### **An Act To Clarify National Labor Relations Board Certification under the Overtime Provisions**

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Submitted by the Department of Labor pursuant to Joint Rule 204.  
Reference to the Committee on Labor suggested and ordered printed.

*Millicent M. MacFarland*  
MILLICENT M. MacFARLAND  
Clerk

Presented by Representative JACKSON of Fort Kent.  
Cosponsored by Senator PERRY of Penobscot and  
Representatives: HUTTON of Bowdoinham, MAZUREK of Rockland, PINEAU of Jay,  
RINES of Wiscasset, WATSON of Bath, Senator: BRYANT of Oxford.

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

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**Sec. 1. 26 MRSA §664, sub-§3, ¶I,** as enacted by PL 2001, c.  
4 628, §3 and affected by §5, is amended to read:

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I. A driver or driver's helper who is subject to the provisions of 49 United States Code, Section 31502 as amended or to regulations adopted pursuant to that section and who is represented for purposes of collective bargaining by a labor organization recognized by the employer or certified by the National Labor Relations Board that is a party to a collective bargaining agreement that intends to regulate the rate of pay to be paid the driver or driver's helper; and

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**SUMMARY**

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This bill clarifies that the minimum wage exemption granted by the Maine Revised Statutes, Title 26, section 664, subsection 3, paragraph I applies to labor organizations recognized by employers as well as those certified by the National Labor Relations Board.