

# MAINE STATE LEGISLATURE

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# 130th MAINE LEGISLATURE

## FIRST SPECIAL SESSION-2021

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Legislative Document

No. 1489

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H.P. 1103

House of Representatives, April 14, 2021

### An Act To Update the Classification of Service Employees

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Received by the Clerk of the House on April 12, 2021. Referred to the Committee on Labor and Housing pursuant to Joint Rule 308.2 and ordered printed pursuant to Joint Rule 401.

A handwritten signature in cursive script that reads "Robert B. Hunt".

ROBERT B. HUNT  
Clerk

Presented by Representative CUDDY of Winterport.  
Cosponsored by Senator MIRAMANT of Knox and  
Representatives: COLLINGS of Portland, GERE of Kennebunkport, OSHER of Orono.

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

2 **Sec. 1. 26 MRSA §663, sub-§8**, as amended by PL 2011, c. 118, §1, is further  
3 amended to read:

4 **8. Service employee.** "Service employee" means any employee engaged in an  
5 occupation in which the employee customarily and regularly receives more than ~~\$30~~ **\$175**  
6 a month in tips. On January 1, 2022, and every January 1st thereafter, the monetary amount  
7 over which an employee is considered a service employee under this subsection must be  
8 increased by the same percentage of the increase, if any, in the cost of living. The increase  
9 in the cost of living is measured by the percentage increase, if any, as of August of the  
10 previous year over the level as of August of the year preceding that year in the Consumer  
11 Price Index for Urban Wage Earners and Clerical Workers, CPI-W, for the Northeast  
12 Region, or its successor index, as published by the United States Department of Labor,  
13 Bureau of Labor Statistics or its successor agency, with the amount of increase rounded to  
14 the nearest multiple of \$1.

15 **SUMMARY**

16 This bill increases the amount of tips an employee must receive to be considered a  
17 service employee from \$30 per month to \$175 per month and provides that this amount,  
18 beginning on January 1, 2022, be increased by the same percentage of the increase, if any,  
19 in the cost of living.