



129th MAINE LEGISLATURE

FIRST REGULAR SESSION-2019

Legislative Document

No. 402

H.P. 311

House of Representatives, January 29, 2019

An Act To Restore Overtime Protections for Maine Workers

Reference to the Committee on Labor and Housing suggested and ordered printed.

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

ROBERT B. HUNT
Clerk

Presented by Representative TIPPING of Orono.
Cosponsored by Senator BELLOWS of Kennebec and
Representatives: COLLINGS of Portland, CUDDY of Winterport, DUNPHY of Old Town,
MASTRACCIO of Sanford, RYKERSON of Kittery, SYLVESTER of Portland, Senators:
President JACKSON of Aroostook, LIBBY of Androscoggin.

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

2 **Sec. 1. 26 MRSA §663, sub-§3, ¶K**, as amended by PL 2009, c. 529, §2, is
3 further amended to read:

4 K. A salaried employee who works in a bona fide executive, administrative or
5 professional capacity and whose regular compensation, when converted to an annual
6 rate, meets or exceeds 3000 times the State's minimum hourly wage or the rate
7 established in this paragraph or the annualized rate established by the United States
8 Department of Labor under the federal Fair Labor Standards Act, whichever is
9 higher. Beginning October 1, 2019, the rate is \$33,000; beginning January 1, 2020,
10 the rate is \$40,408; beginning January 1, 2021, the rate is \$47,816; and beginning
11 January 1, 2022, the rate is \$55,224. On January 1, 2023, and each year thereafter,
12 the rate must be increased by the percentage annual increase, if any, in the 2nd
13 quartile of usual weekly earnings for employed full-time wage and salary workers as
14 published by the United States Department of Labor, Bureau of Labor Statistics, or its
15 successor agency, with the amount of the rate increase rounded to the nearest dollar;
16 and

17 **SUMMARY**

18 This bill annually raises the minimum salary that an employee who works in an
19 executive, administrative or professional capacity must earn in order for that employee to
20 be exempt from the laws governing the minimum wage and overtime pay until it is
21 \$55,224 on January 1, 2022. The bill provides for an annual adjustment, beginning
22 January 1, 2023, based on the percentage annual increase in certain earnings as published
23 by the United States Department of Labor, Bureau of Labor Statistics.