

Date:

(Filing No. S-)

LABOR AND HOUSING

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STATE OF MAINE

SENATE

131ST LEGISLATURE

SECOND REGULAR SESSION

COMMITTEE AMENDMENT “ ” to S.P. 230, L.D. 513, “An Act Regarding Overtime Protections for Certain Maine Workers”

Amend the bill by striking out the title and substituting the following:

'An Act Regarding Overtime Protections for Certain Salaried Employees'

Amend the bill by striking out everything after the enacting clause and inserting the following:

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

K. A salaried employee who works in a bona fide executive, administrative or professional capacity and whose regular compensation, when converted to an annual rate, ~~meets or exceeds 3000 times the State's minimum hourly wage~~ the rate established in this paragraph or the annualized rate established by the United States Department of Labor under the federal Fair Labor Standards Act, whichever is higher. Prior to January 1, 2025, the rate is 3,000 times the State's minimum hourly wage. Beginning January 1, 2025, the rate is \$55,068. On January 1, 2026, and annually thereafter, the rate must be increased by the annual percentage increase, if any, in the 35th percentile of weekly earnings for employed full-time salary workers in the lowest-wage census region as published by the United States Department of Labor, Bureau of Labor Statistics, or its successor agency, with the amount of the rate increase rounded to the nearest dollar; and

Sec. 2. Appropriations and allocations. The following appropriations and allocations are made.

ADMINISTRATIVE AND FINANCIAL SERVICES, DEPARTMENT OF

Executive Branch Departments and Independent Agencies - Statewide 0017

Initiative: Provides ongoing funds for the additional overtime costs associated with increasing the annual rate that an employee who works in an executive, administrative or professional capacity must earn in order to be exempt from the laws governing the

COMMITTEE AMENDMENT

1 minimum wage and overtime pay from 3,000 times the State's minimum hourly wage to
2 \$55,068 beginning January 1, 2025.

| 3 | GENERAL FUND | 2023-24 | 2024-25 |
|---|---------------------------|----------------|--------------------|
| 4 | Personal Services | \$0 | \$1,414,501 |
| 5 | | | |
| 6 | GENERAL FUND TOTAL | <u>\$0</u> | <u>\$1,414,501</u> |

7

8 Amend the bill by relettering or renumbering any nonconsecutive Part letter or section
9 number to read consecutively.

10

SUMMARY

11 This amendment replaces the bill and changes the title. It provides that, beginning
12 January 1, 2025, a salaried employee who works in an executive, administrative or
13 professional capacity must earn at least \$55,068 annually or the annualized rate under the
14 federal Fair Labor Standards Act, whichever is higher, to be exempt from the laws
15 governing the minimum wage and overtime pay. The amendment provides for an annual
16 increase, beginning January 1, 2026, based on the annual percentage increase, if any, in
17 certain weekly earnings as published by the United States Department of Labor, Bureau of
18 Labor Statistics.

19

FISCAL NOTE REQUIRED

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(See attached)