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Resolve, To Establish the Commission To Study the Phase-out of Subminimum Wage

Sec. 1 Commission To Study the Phase-out of Subminimum Wage established; definition. Resolved: That, notwithstanding Joint Rule 353, the Commission To Study the Phase-out of Subminimum Wage, referred to in this resolve as "the commission," is established. As used in this resolve, "phase-out of the subminimum wage" means the increase in the minimum cash wage paid to a tipped service employee pursuant to the Maine Revised Statutes, Title 26, section 664, subsection 2; and be it further

Sec. 2 Commission membership. Resolved: That the commission consists of 8 members appointed as follows:

1. One member of the Senate appointed by the President of the Senate and one member of the House of Representatives appointed by the Speaker of the House. The members appointed pursuant to this subsection must be from each of the 2 parties holding the largest number of seats in the Legislature;

2. A restaurateur who is opposed to the phase-out of the subminimum wage, appointed by the President of the Senate;

3. A restaurant worker who is opposed to the phase-out of the subminimum wage, appointed by the President of the Senate;

4. A member of an association that represents the restaurant industry, appointed by the President of the Senate;

5. A restaurateur who is supportive of the phase-out of the subminimum wage, appointed by the Speaker of the House;

6. A restaurant worker who is supportive of the phase-out of the subminimum wage, appointed by the Speaker of the House; and

7. A member of an organization that represents workers' rights, appointed by the Speaker of the House; and be it further

Sec. 3 Chairs. Resolved: That the member of the Senate named by the President of the Senate is the Senate chair and the member of the House of Representatives named by the Speaker of the House is the House chair of the commission; and be it further

Sec. 4 Appointments; convening of commission. Resolved: That all appointments must be made no later than 30 days following the effective date of this resolve. The appointing authorities shall notify the Executive Director of the Legislative Council once all appointments have been completed. After appointment of all members, the chairs shall call and convene the first meeting of the commission. If 30 days or more after the effective date of this resolve a majority of but not all appointments have been made, the chairs may request authority and the Legislative Council may grant authority for the commission to meet and conduct its business; and be it further

Sec. 5 Duties. Resolved: That the commission shall collect and analyze data to determine the impact of the phase-out of the subminimum wage on:

1. Restaurant workers' hourly wages;
2. Restaurant workers' tips;
3. The number of people employed in the restaurant industry before and after the implementation of the phase-out of the subminimum wage, adjusted for unemployment rates;
4. Restaurant industry expansion;
5. Restaurant industry sales; and
6. Any other matters that the commission considers appropriate; and be it further

Sec. 6 Staff assistance. Resolved: That the Legislative Council shall provide necessary staffing services to the commission; and be it further

Sec. 7 Report. Resolved: That, no later than March 1, 2019, the commission shall submit a report to the joint standing committee of the Legislature having jurisdiction over labor and commerce matters that includes its findings and recommendations, including suggested legislation, for presentation to the First Regular Session of the 129th Legislature; and be it further

Sec. 8 Outside funding. Resolved: That the commission shall seek funding contributions to fully fund the costs of the study. All funding is subject to approval by the Legislative Council in accordance with its policies. If sufficient contributions to fund the study have not been received within 30 days after the effective date of this resolve, no meetings are authorized and no expenses of any kind may be incurred or reimbursed; and be it further

Sec. 9 Continuation of work. Resolved: That the commission shall conduct an evaluation of its activities and submit a report to the Legislature no later than September 15, 2019 with a recommendation whether to continue, alter or cease the commission's activities.

SUMMARY

This resolve establishes the Commission To Study the Phase-out of the Subminimum Wage for the purpose of determining the effect of the law that requires the minimum cash wage paid to a tipped service employee to be increased by \$1 each year until it reaches the same amount as the minimum wage.