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LABOR AND HOUSING

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**STATE OF MAINE
SENATE
129TH LEGISLATURE
FIRST REGULAR SESSION**

COMMITTEE AMENDMENT “ ” to S.P. 618, L.D. 1828, Bill, “An Act To Amend the Laws Governing Overtime”

Amend the bill in section 3 by striking out all of paragraph L (page 2, lines 1 to 5 in L.D.) and inserting the following:

'L. Public employees employed by the executive or judicial branch of the State engaged in fire protection activities, as defined in the federal Fair Labor Standards Act, 29 United States Code, Section 203(y), or in law enforcement activities, as defined in 29 Code of Federal Regulations, Section 553.211, and who are eligible to have overtime pay calculated and paid in accordance with 29 United States Code, Section 207(k).

This paragraph may not be construed to limit the rights of parties to negotiate an agreement that provides for payment of overtime that exceeds the requirements of 29 United States Code, Section 207(k).'

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

SUMMARY

This amendment clarifies the bill regarding the exemption from certain state overtime pay requirements of executive branch and judicial branch employees engaged in fire protection activities and law enforcement activities by specifying that those employees are not entitled to overtime for working more than 40 hours in any one week only if those employees are eligible to have overtime pay calculated and paid in accordance with the standards set forth under the specified federal law. It also provides that parties are not prohibited from negotiating an agreement that provides for the payment of overtime pay that exceeds federal law.

FISCAL NOTE REQUIRED

(See attached)

COMMITTEE AMENDMENT