

PLEASE NOTE: Legislative Information **cannot** perform research, provide legal advice, or interpret Maine law. For legal assistance, please contact a qualified attorney.

An Act To Base Minimum Wage Increases on the Consumer Price Index

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

Sec. 1. 26 MRS §664, sub-§1, as amended by PL 2005, c. 578, §1, is further amended to read:

1. Minimum wage. The minimum hourly wage is \$6.50 per hour. Starting October 1, 2006, the minimum hourly wage is \$6.75 per hour. Starting October 1, 2007, the minimum hourly wage is \$7.00 per hour. Starting July 1, 2009 and every July 1st thereafter, the Commissioner of Labor shall adjust the minimum hourly wage by any positive percentage change in the Consumer Price Index from January 1st to December 31st of the previous year. For purposes of this subsection, "Consumer Price Index" means the average over a 12-month period of the National Consumer Price Index, not seasonally adjusted, published monthly by the Bureau of Labor Statistics, United States Department of Labor designated as the "National Consumer Price Index for All Urban Consumers-United States City Average." If the highest federal minimum wage is increased in excess of the minimum wage in effect under this section, the minimum wage under this section is increased to the same amount, effective on the same date as the increase in the federal minimum wage, but in no case may the minimum wage exceed the minimum wage otherwise in effect under this section by more than \$1 per hour.

Sec. 2. Reprinting of notice. Notwithstanding the Maine Revised Statutes, Title 26, section 42-B, the Department of Labor, Bureau of Labor Standards is not required to modify and redistribute the printed notice required by that section to reflect the changes in the law resulting from this Act. The Bureau of Labor Standards shall modify the printed notice to reflect the changes contained in this Act when it becomes necessary to print additional notices due to an insufficient supply of such notices or due to future changes in law.

Sec. 3. Statutory referendum procedure; submission at statewide election; form of question; effective date. This Act must be submitted to the legal voters of the State at a statewide election held in November 2008. The municipal officers of this State shall notify the inhabitants of their respective cities, towns and plantations to meet, in the manner prescribed by law for holding a statewide election, to vote on the acceptance or rejection of this Act by voting on the following question:

"Do you favor basing increases in the minimum wage on increases in the Consumer Price Index?"

The legal voters of each city, town and plantation shall vote by ballot on this question and designate their choice by a cross or check mark placed within a corresponding square below the word "Yes" or "No." The ballots must be received, sorted, counted and declared in open ward, town and plantation meetings and returns made to the Secretary of State in the same manner as votes for members of the Legislature. The Governor shall review the returns. If it appears that a majority of the legal votes are cast in favor of the Act, the Governor shall proclaim that fact without delay, and the Act takes effect 30 days after the date of the proclamation.

The Secretary of State shall prepare and furnish to each city, town and plantation all ballots, returns and copies of this Act necessary to carry out the purposes of this referendum.

SUMMARY

This bill provides that, starting July 1, 2009 and every July 1st thereafter, the Commissioner of Labor shall adjust the minimum hourly wage by any positive percentage change in the Consumer Price Index in the previous year. The changes in the bill are contingent upon approval by the voters at referendum in November 2008.