



127th MAINE LEGISLATURE

FIRST REGULAR SESSION-2015

Legislative Document

No. 403

H.P. 269

House of Representatives, February 12, 2015

An Act To Eliminate the Exception from Minimum Wage Laws for Workers Who Receive Tips

Reference to the Committee on Labor, Commerce, Research and Economic Development suggested and ordered printed.

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

ROBERT B. HUNT
Clerk

Presented by Representative COOPER of Yarmouth.
Cosponsored by Senator PATRICK of Oxford and
Representatives: BEAVERS of South Berwick, DAUGHTRY of Brunswick, DION of
Portland, HERBIG of Belfast, MASTRACCIO of Sanford, MORRISON of South Portland,
STANLEY of Medway, Senator: MIRAMANT of Knox.

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

2 **Sec. 1. 26 MRSA §664, sub-§2**, as amended by PL 2011, c. 118, §3, is repealed
3 and the following enacted in its place:

4 **2. Tips.** The tips received by a service employee become the property of the
5 employee and may not be shared with the employer. Tips that are automatically included
6 in the customer's bill or that are charged to a credit card must be treated like tips given to
7 the service employee. A tip that is charged to a credit card must be paid by the employer
8 to the employee by the next regular payday and may not be held while the employer is
9 awaiting reimbursement from a credit card company.

10

11 **SUMMARY**

12 This bill eliminates the provision of law that allows an employer to pay an employee
13 who receives tips less than the minimum wage.