

FIRST REGULAR SESSION
SENATE COMMITTEE SUBSTITUTE FOR
**SENATE BILLS NOS. 255,
249 & 279**

94TH GENERAL ASSEMBLY

Reported from the Committee on Small Business, Insurance and Industrial Relations, February 1, 2007, with recommendation that the Senate Committee Substitute do pass and be placed on the Consent Calendar.

1250S.03C

TERRY L. SPIELER, Secretary.

AN ACT

To repeal section 290.505, RSMo, and to enact in lieu thereof two new sections relating to overtime compensation, with an emergency clause and an expiration date for a certain section.

Be it enacted by the General Assembly of the State of Missouri, as follows:

Section A. Section 290.505, RSMo, is repealed and two new sections
2 enacted in lieu thereof, to be known as sections 290.505 and 1, to read as follows:

290.505. 1. No employer shall employ any of his employees for a
2 workweek longer than forty hours unless such employee receives compensation
3 for his employment in excess of the hours above specified at a rate not less than
4 one and one-half times the regular rate at which he is employed.

5 2. Employees of an amusement or recreation business that meets the
6 criteria set out in 29 U.S.C. § 213(a) (3) must be paid one and one-half times their
7 regular compensation for any hours worked in excess of fifty-two hours in any
8 one-week period.

9 3. With the exception of employees described in subsection (2), the
10 overtime requirements of subsection (1) shall not apply to employees who are
11 exempt from federal minimum wage or overtime requirements [pursuant to 29
12 U.S.C. §§ 213(a)-(b)] **including, but not limited to, the exemptions or hour
13 calculation formulas specified in 29 U.S.C. Sections 207 and 213, and
14 any regulations promulgated thereunder.**

15 4. **Except as may be otherwise provided under sections 290.500
16 to 290.530, this section shall be interpreted in accordance with the Fair**

EXPLANATION—Matter enclosed in bold-faced brackets [thus] in this bill is not enacted and is intended to be omitted in the law.

17 **Labor Standards Act, 29 U.S.C. Section 201, et seq., as amended, and the**
18 **Portal to Portal Act, 29 U.S.C. Section 251, et seq., as amended, and any**
19 **regulations promulgated thereunder.**

Section 1. 1. There is hereby created a "Joint Committee on the
2 **Minimum Wage". The committee shall consist of ten members, five of**
3 **which shall be members of the senate appointed by the president pro**
4 **tem of the senate, with at least two members from the minority party;**
5 **and five shall be members of the house of representatives appointed by**
6 **the speaker of the house of representatives, with at least two members**
7 **from the minority party.**

8 **2. The committee shall examine the effects of proposition B as**
9 **passed by the voters on November 7, 2006, including all aspects of the**
10 **proposition.**

11 **3. The committee shall issue a report to the general assembly no**
12 **later than December 31, 2007.**

13 **4. The provisions of this section shall expire on January 1, 2008.**

Section B. Because of the need to preserve federal standards relating to
2 **overtime payments to employees, section A of this act is deemed necessary for the**
3 **immediate preservation of the public health, welfare, peace and safety, and is**
4 **hereby declared to be an emergency act within the meaning of the constitution,**
5 **and section A of this act shall be in full force and effect upon its passage and**
6 **approval.**

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