

AMENDMENTS TO LB 31

Introduced by Business and Labor

1 1. Strike section 1 and insert the following section:

2 Section 1. Section 48-1203, Reissue Revised Statutes of
3 Nebraska, is amended to read:

4 48-1203 (1) Except as otherwise provided in this section
5 and section 48-1203.01, every employer shall pay to each of his
6 or her employees who are seventeen years of age or older a
7 minimum wage that is the federal minimum wage in effect on the
8 effective date of this act or the state-calculated minimum wage
9 under subsection (2) of this act, whichever is greater.

10 (2) The state-calculated minimum wage shall be: wages at
11 the minimum rate of four dollars and twenty-five cents per hour
12 through August 31, 1997, and five dollars and fifteen cents per
13 hour on and after September 1, 1997.

14 (a) Five dollars and fifteen cents per hour through
15 September 30, 2007;

16 (b) Five dollars and fifty-two cents per hour on and
17 after October 1, 2007, through September 30, 2008;

18 (c) Five dollars and eighty-nine cents on and after
19 October 1, 2008, through September 30, 2009;

20 (d) Six dollars and twenty-six cents on and after October
21 1, 2009, through September 30, 2010; and

22 (e) As calculated by the Department of Labor for wages
23 beginning on October 1, 2010, through September 30, 2013. The

1 department shall have such minimum wage calculated by June 15,
2 2010, and shall adjust the six dollars and twenty-six cents
3 wage to reflect the changes in the Consumer Price Index for
4 all-urban consumers published by the federal Department of Labor
5 for 2007, 2008, and 2009 plus the first quarter of 2010. Every
6 three years thereafter, the department shall make an adjustment of
7 the state-calculated minimum wage to reflect the changes in such
8 Consumer Price Index for the preceding three calendar years. For
9 purposes of this section, calendar year begins on April 1 and ends
10 on March 31 of the next year. The new state-calculated minimum wage
11 shall be calculated by June 15 of the year that it will go into
12 effect on October 1.

13 ~~(2)~~ (3) For persons who are seventeen years of age or
14 older compensated by way of gratuities such as waitresses, waiters,
15 hotel bellhops, porters, and shoeshine persons, the employer shall
16 pay wages at the minimum rate of two dollars and thirteen cents per
17 hour, wage of fifty percent of the applicable minimum wage provided
18 in subsection (1) of this section, plus all gratuities given
19 to them for services rendered. The sum of wages and gratuities
20 received by each person compensated by way of gratuities shall
21 equal or exceed the minimum wage rate provided in subsection (1)
22 of this section. In determining whether or not the individual is
23 compensated by way of gratuities, the burden of proof shall be upon
24 the employer.

25 ~~(3)~~ (4) Any employer employing student-learners as part
26 of a bona fide vocational training program shall pay such
27 student-learners' student-learners who are seventeen years of age

- 1 or older wages at a rate of at least seventy-five percent of the
- 2 minimum wage rate which would otherwise be applicable.
- 3 2. On page 4, line 17, strike "2008" and insert "2010".