

130th MAINE LEGISLATURE

FIRST REGULAR SESSION-2021

Legislative Document

No. 959

S.P. 311

In Senate, March 9, 2021

An Act To Protect Small Businesses by Ensuring That a Prevailing Wage Is Paid on Public Works Construction Projects

Reference to the Committee on Labor and Housing suggested and ordered printed.

DAREK M. GRANT Secretary of the Senate

Presented by Senator MIRAMANT of Knox.

Cosponsored by Senators: BRENNER of Cumberland, President JACKSON of Aroostook, MAXMIN of Lincoln, Representatives: CUDDY of Winterport, Speaker FECTEAU of Biddeford, ROBERTS of South Berwick, SYLVESTER of Portland.

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

- Sec. 1. 26 MRSA §1304, sub-§2, as repealed and replaced by PL 1967, c. 403, is amended to read:
- **2. Construction.** "Construction" means any construction, reconstruction, demolition, improvement, enlargement, painting, decorating or repair of any public works let to contract, whether the contracted work is performed on site or at an off-site location within 350 miles of the site of the public works or where more than 10% of the contracted construction, reconstruction, demolition, improvement, enlargement, painting, decorating or repair is performed. The term "construction" shall may not be construed to include engineering or architectural services, temporary or emergency repairs or any contract of less than \$10,000 \$15,000.

12 SUMMARY

This bill expands the definition of "construction" under the laws governing preference to Maine works and contractors, which include provisions requiring the payment of prevailing wages, to include contracts for any construction, reconstruction, demolition, improvement, enlargement, painting, decorating or repair of any public works under which work is performed at an off-site location within 350 miles of the public works or where at least 10% of the contracted work is performed.