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An Act To Clarify the Application of Prevailing Wage Requirements

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

Sec. 1. 26 MRSA §1314, as amended by PL 1997, c. 757, §11, is further amended to read:

§ 1314. Exceptions

Whenever a public works construction is built in whole or in part by federal funds and is under the jurisdiction of the Davis-Bacon ~~Act~~ other Federal Act federal act that requires the Secretary of Labor to establish the minimum wage and benefits and those minimum wages and benefits are established by the Secretary of Labor and are higher than the minimum wages and benefits under Maine law, sections 1304 to 1313 do not apply. If the minimum wages and benefits established by the Secretary of Labor are not higher than those established under Maine law, sections 1304 to 1313 apply.

SUMMARY

This bill clarifies that in publicly funded construction projects under the jurisdiction of the federal Davis-Bacon Act or other federal act, minimum wages and benefits are the higher of the federal and state rates.