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STATE OF MAINE
HOUSE OF REPRESENTATIVES
132ND LEGISLATURE
FIRST SPECIAL SESSION

HOUSE AMENDMENT “ ” to COMMITTEE AMENDMENT “A” to H.P. 845,
L.D. 1270, “An Act to Establish the Department of Energy Resources”

Amend the amendment on page 1 by inserting after paragraph B the following:

'Amend the bill in Part A by inserting after section 6 the following:

'Sec. A-7. 26 MRSA §1308, sub-§1, as amended by PL 2023, c. 333, §1, is further amended to read:

1. Determination of wage and benefits rates. The Bureau of Labor Standards shall investigate and determine the prevailing hourly wage and benefits rate paid in the construction industry in this State. To determine the prevailing hourly wage and benefits rate, the bureau shall:

A. Collect a set of data by conducting a survey of wages and benefits during the 2nd and 3rd week of July of each year;

B. Collect a 2nd set of data through certified payroll submissions on state construction of public works during the 2nd and 3rd week of July of each year from any state agency that contracts for the construction of public works; and

C. Collect a 3rd set of data for the job classification under the federal Davis-Bacon Act.

Survey data collected pursuant to paragraph A and certified payroll data collected pursuant to paragraph B must be submitted to the bureau by the 2nd week of October. Each year, labor unions shall submit the most recent collectively bargained rates to the bureau.

The bureau shall use the highest wage and benefits information of the 3 data sets collected pursuant to paragraphs A, B and C to determine the prevailing hourly wage and benefits rate. ~~The bureau may also use wage and benefits information received from construction trade associations in its determination of prevailing rates. In determining the prevailing rate, the bureau may ascertain and consider the applicable wage and benefits rates established by collective bargaining agreements, if any, and those rates that are paid generally in the locality where the construction of the public works is to be performed. For any classification, if that rate represents a decrease from the prevailing hourly wage and benefits rate as published in the immediately preceding year, the bureau shall adjust the rate to ensure that the decrease is not more than 15%.~~

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1 wage and benefits rate paid in the construction industry and requires the department to
2 submit a report detailing the process to the Joint Standing Committee on Labor.

3 **SPONSORED BY:** _____

4 **(Representative RUNTE, W.)**

5 **TOWN: York**