



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.

A handwritten signature in black ink, appearing to read 'D M Grant'.

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 FECTION of
Biddeford, ROBERTS of South Berwick, SYLVESTER of Portland.

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

2 **Sec. 1. 26 MRSA §1304, sub-§2**, as repealed and replaced by PL 1967, c. 403, is
3 amended to read:

4 **2. Construction.** "Construction" means any construction, reconstruction, demolition,
5 improvement, enlargement, painting, decorating or repair of any public works let to
6 contract, whether the contracted work is performed on site or at an off-site location within
7 350 miles of the site of the public works or where more than 10% of the contracted
8 construction, reconstruction, demolition, improvement, enlargement, painting, decorating
9 or repair is performed. The term "construction" ~~shall~~ may not be construed to include
10 engineering or architectural services, temporary or emergency repairs or any contract of
11 less than ~~\$10,000~~ \$15,000.

12 **SUMMARY**

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