TESTIMONY OF THE
DEPARTMENT OF INLAND FISHERIES AND WILDLIFE

Before the 132nd Legislature, Joint Standing Committee on Labor

In Opposition to LD 2049

"An Act to Clarify Indemnification When Seeking Remedy for Labor Law Violations"

SPONSORED BY: Representative BECK of South Portland.

DATE OF HEARING: February 17, 2026

Senator Tipping, Representative Roeder, members of the Joint Standing Committee on Labor, my name is Timothy Peabody, Deputy Commissioner of the Maine Department of Inland Fisheries and Wildlife, offering the following testimony in opposition to LD 2049 as amended due to concerns regarding expanded liability, legal uncertainty, and unintended consequences for public owners.

The Department of Inland Fisheries and Wildlife owns and maintains (7) Regional Offices, (8) fish hatcheries, (224) mixed use buildings, (77) dams, and (150) water access sites. The Department's Engineering Division has oversite of this infrastructure and engages multiple construction contracts each year to maintain and, in some cases, completely renovate these buildings.

The Sponsor's Amendment to LD 2049 lists the property owner (in our case the Department) as having joint and several liability for unpaid wages, liquidated damages, and interest arising from a subcontractor's violation of wage and benefit laws under Title 26, chapters 7 and 15.

The Department feels such liability would have the potential to put increased costs on all construction projects through potential bonding requirements being placed on contractors that are currently not required and/or creating the need for the Department to hire additional staff "clerk of the works" to oversee the entirety of a project including monitoring payments to subcontractors.

The Department supports the move to ensure workers are lawfully paid but would respectfully request the Committee oppose the amendment and reconsider the inclusion of public owners such as the Department of Inland Fisheries and Wildlife within the chain of joint and several liability.