



Testimony of Mark Curtis in Opposition of LD 1633
An Act To Require Responsible Contracting Practices for Public Construction Projects

Senator Hickman, Representative Sylvester, and the Joint Standing Committee on Labor and Housing members, my name is Mark Curtis. I am a resident of Gorham and here today to speak against this bill.

I've worked in the construction industry my entire life, and it isn't easy to imagine that elected leaders in my state would pass a law that would prevent a local company from working on public projects. It's clear and without question that this law discriminates against the majority of Maine's construction firms. When public agencies are wondering if they will have enough bidders, this will minimize who can bid.

I know this Committee would prefer that we testify to each item we oppose, but this bill is filled with language that only supports one business model and less than 10% of the entire industry. As a small business, this looks like an effort to hand work over to large out-of-state firms associated with an organized labor union. By voting for this, you are shutting out the vast majority of Maine's construction workforce, and I wonder how you can vote for a policy that hurts existing businesses that have operated here for a very long time.

But this is a fairness issue. Right now, union and non-union companies can compete on a level playing field. I don't blame union organizers for looking for a way to carve out work for their members, but I hope, as elected leaders, you would reject an effort to shut out all but a few companies from bidding.

It's also important to point out a few of the flaws in this bill. Preventing any company with a fine of \$1,000 or more within a three-year period of time will be a significant issue. Regulatory agencies that issue fines always much more, which doesn't

mean a company is not responsible. This bill makes significant changes to the procurement process that will impact an already short construction season.

Honestly, it is challenging to think a bill would prevent our company and everyone we compete against from bidding public work. Adopting rules and laws for a specific industry that are major market shifts shouldn't be done in a vacuum. While this one bill might have your eyes and ears for a couple of meetings, nearly all of Maine's entire construction industry will be left wondering why our elected leaders felt we are not responsible. I can tell you this language doesn't determine who is accountable and who isn't. Instead, it tells me you are okay with preventing non-union companies from building Maine's infrastructure.

I am asking you today to stand up for business in your district and vote against this discriminatory bill.