

Maine Turnpike Authority

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May 5, 2021

Testimony of Peter Mills, Maine Turnpike Authority
Before the 130th Legislature, Joint Standing Committee on Labor & Housing

To oppose LD 1633

An Act to Require Responsible Contracting Practices for Public Construction Projects

Chairman Hickman, Chairman Sylvester, distinguished members of the Joint Standing Committee on Labor & Housing, my name is Peter Mills.

I served for eight years on the Labor Committee at various times between 1995 and 2010. In 2009, as the minority Senate lead, I served with Senator Troy Jackson who chaired the committee. I think he would agree that we wrote many good laws together during his freshman Senate term.

In those and prior years, the people I served with took pride in passing laws to make people's lives simple and more predictable. We constantly struggled to improve rules and regulations to make them easier to follow in such difficult fields as Unemployment Compensation, Workers Compensation, OSHA, health & disability benefits for public employees, and defined benefit pensions for teachers, municipal workers, and state employees.

We didn't always succeed. There is a terrible tendency in Labor Law to make things too complicated. Some people say that the Utilities Committee or the Tax Committee is where you need to put all your smart people to bring clarity to complex things. They are wrong. Labor Committee is the most difficult place to earn your legislative pay.

A lawmaker's most important job is to tackle complicated things to make them clear and simple. As the old preacher once said, "I'm sorry for giving you such a long sermon today. I didn't have time to write a short one."

For the past ten years, I have had the pleasure of working with 300 union members at the Maine Turnpike Authority. We pay well, we train well, and we provide good benefits. We get along well because we keep things simple. I encourage every one of them to call my cell phone at 858-6400 to short circuit any issue that deserves special attention.

As director of the Turnpike, I have worked with all the major road and bridge contractors in this state. Even though the pandemic cost the Turnpike \$60 million in lost tolls, we continued to spend \$106 million from our reserves last year to keep contractors busy with safe outdoor construction work. It helped to sustain Maine's economy, and it got a lot of productive work done while traffic was down.

The contractors who work on our highway are among the most safety conscious people you have ever met. With traffic moving past the job site at 70 mph, their lives depend on it. The superintendents have decades of experience. They train their people well and are good about bringing younger workers along to acquire new skills. The DOT and the Turnpike each publish specification manuals that are two and half inches thick covering highly technical topics on practically everything required for a public construction job. Our contractors have them nearly memorized.

The last thing on earth they need is a state law requiring them to fill out reams of redundant paperwork to certify to DOL inspectors that they are doing the things our contracts require them to do, the things that their companies demand, the many things that are dictated by common sense.

This suggested law may be well-intentioned, but it is completely unnecessary and will be seen by public contractors as punitive harassment. Because the paperwork alone will cost them both time and money, those costs will translate into higher bids for public work, or it may mean that they won't bid at all if they have alternative private work.

The public will pay more for roads and schools, Maine life will be more complicated than it should be, and nothing will be gained.

The Labor Committee has so many other important things to do.