

MAINE STATE LEGISLATURE

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121st MAINE LEGISLATURE

SECOND REGULAR SESSION-2004

Legislative Document

No. 1722

S.P. 655

In Senate, December 17, 2003

An Act To Clarify the Prevailing Wage Law

Approved for introduction by a majority of the Legislative Council pursuant to Joint Rule 203.

Received by the Secretary of the Senate on December 17, 2003. Referred to the Committee on Labor pursuant to Joint Rule 308.2 and ordered printed pursuant to Joint Rule 218.

A handwritten signature in cursive script that reads "Joy J. O'Brien".

JOY J. O'BRIEN
Secretary of the Senate

Presented by Senator EDMONDS of Cumberland.
Cosponsored by Representative SMITH of Van Buren and
Senators: BRYANT of Oxford, HATCH of Somerset, Representative: HUTTON of
Bowdoinham.

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

4 **Sec. 1. 26 MRSA §1314**, as amended by PL 1997, c. 757, §11, is
further amended to read:

6 **§1314. Exceptions**

8 Whenever a public works construction is built in whole or in
part by federal funds and is under the jurisdiction of the
10 Davis-Bacon or other ~~Federal-Aet~~ federal act that requires the
Secretary of Labor to establish the minimum wage and benefits and
12 those minimum wages and benefits are established by the Secretary
of Labor and are higher than the minimum wages and benefits under
14 Maine law, sections 1304 to 1313 do not apply. If the minimum
16 wages and benefits established by the Secretary of Labor are not
higher than those established under Maine law, sections 1304 to
18 1313 apply.

20 **SUMMARY**

22 This bill clarifies that in publicly funded construction
projects under the jurisdiction of the Davis-Bacon or other
24 federal act, minimum wages and benefits would be the higher of
the federal and state rates.