

# MAINE STATE LEGISLATURE

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L.D. 361

DATE: 4-2-03

(Filing No. H-93)

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STATE OF MAINE  
HOUSE OF REPRESENTATIVES  
121ST LEGISLATURE  
FIRST REGULAR SESSION

COMMITTEE AMENDMENT "A" to H.P. 281, L.D. 361, Bill, "An Act To Amend the Laws Governing Wage and Benefit Records Kept by Contractors Working on Public Works Projects"

Amend the bill by striking out the title and substituting the following:

**'An Act to Amend the Laws Governing Wage and Benefit Records of Persons Working on Public Works Projects'**

Further amend the bill by striking out all of section 1 and inserting in its place the following:

**'Sec. 1. 26 MRSA §1311, as amended by PL 1997, c. 757, §9, is further amended to read:**

**§1311. Wage and benefit record of contractor**

The contractor and each subcontractor in charge of the construction of a public work shall keep an accurate record showing the names and occupation of each--and all laborers, workers and mechanics employed by them and all independent contractors working under contract with them in connection with the construction on the public works showing. The record must also show for all laborers, workers, mechanics and independent contractors the hours worked, the title of the job, the hourly rate or other method of remuneration and the actual wages or other compensation paid to each of the laborers, workers and mechanics and independent contractors. A copy of such a record must be kept at the job site and must be open at all reasonable hours to the inspection of the Bureau of Labor Standards and the public authority that let the contract, and its officers and agents. It is not necessary to preserve those records for a period longer than 3 years after the termination of the

**COMMITTEE AMENDMENT**

contract. A copy of each such record must also be filed monthly with the public authority that let the contract. The filed record is a public record pursuant to Title 1, chapter 13, except that the public authority letting a contract shall adopt rules to protect the privacy of personal information contained in the records filed with the public authority under this section, such as Social Security numbers and taxpayer identification numbers. The rules may not prevent the disclosure of information regarding the classification of workers or independent contractors and the remuneration they receive. Such rules are routine technical rules as defined by Title 5, chapter 375, subchapter 2-A.

### SUMMARY

This amendment replaces the bill and provides that the records kept by contractors and subcontractors on public works construction projects must include information about independent contractors as well as information about employees of those contractors and subcontractors. It also requires that the records be filed with the public agency that let the construction contract monthly rather than weekly, as the bill proposed.

It provides that the records filed with the public authority are public records, but the public authority must adopt rules to prevent the disclosure of certain personal information, such as a person's Social Security number or taxpayer identification number.

**FISCAL NOTE REQUIRED**  
(See attached)

**121st Maine Legislature  
Office of Fiscal and Program Review**



**LD 361**

**An Act to Amend the Laws Governing Wage and Benefit Records Kept  
by Contractors Working on Public Works Projects**

**LR 1501(02)**

**Fiscal Note for Bill as Amended by Committee Amendment " "**

**Committee: Labor**

**Fiscal Note Required: Yes**

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**Fiscal Note**

Minor cost increase - General Fund