

MAINE STATE LEGISLATURE

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122nd MAINE LEGISLATURE

FIRST REGULAR SESSION-2005

Legislative Document

No. 721

H.P. 516

House of Representatives, February 10, 2005

An Act To Make the Minimum Wage a Livable Wage

Reference to the Committee on Labor suggested and ordered printed.

Millicent M. MacFarland
MILLICENT M. MacFARLAND
Clerk

Presented by Representative EDER of Portland.

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

4 **Sec. 1. 5 MRSA §10-A** is enacted to read:

6 **§10-A. Wage requirements**

8 **1. Minimum wage requirements.** All state officers and employees must be paid a minimum hourly wage that is the greater of:

10 A. The minimum hourly wage set forth in Title 26, section 664; and

12 B. The minimum hourly wage that is calculated pursuant to section 13070-P, subsection 2, paragraph B.

14 **Sec. 2. 5 MRSA §1825-B, sub-§7**, as amended by PL 1997, c. 263, §1, is further amended to read:

16 **7. Awards to best-value bidder.** ~~Except~~ Subject to subsection 12 and except as otherwise provided by law, orders awarded or contracts made by the Director of the Bureau of General Services or by any department or agency of the State must be awarded to the best-value bidder, taking into consideration the qualities of the goods or services to be supplied, their conformity with the specifications, the purposes for which they are required, the date of delivery and the best interest of the State. If the bidder that was initially awarded the order or contract does not perform, the Director of the Bureau of General Services may cancel the contract and award a new contract to the 2nd best-value bidder. The order or contract may not be awarded to a bidder that the Director of the Bureau of General Services determined was not in compliance at the time the initial bid was submitted.

20 **Sec. 3. 5 MRSA §1825-B, sub-§8**, as amended by PL 1991, c. 780, Pt. Y, §70, is further amended to read:

22 **8. Tie bids.** The Subject to subsection 12, the Director of the Bureau of General Services shall award contracts or purchases to in-state bidders or to bidders offering commodities produced or manufactured in the State if the price, quality, availability and other factors are equivalent.

24 **Sec. 4. 5 MRSA §1825-B, sub-§12** is enacted to read:

26 **12. Wage requirements.** Orders awarded or contracts made by the Director of the Bureau of General Services or by any department or agency of the State may not be awarded to a bidder

2 unless the bidder pays its employees a minimum hourly wage that
3 is the greater of:

4 A. The minimum hourly wage set forth in Title 26, section
5 664; and

6 B. The minimum hourly wage that is calculated pursuant to
7 section 13070-P, subsection 2, paragraph B.

10 **Sec. 5. 5 MRSA §13070-P** is enacted to read:

12 **§13070-P. Compliance with livable wages for subsidized employers**

14 1. Definitions. As used in this section, unless the
15 context otherwise indicates, the following terms have the
16 following meanings.

18 A. "Average monthly salary" means the fair market rent
19 divided by .3 for the fair market rent area in which the
20 employer is located.

22 B. "Average weekly salary" means the average monthly salary
23 divided by 4.3.

24 C. "Fair market rent" means the fair market rent as
25 determined by the United States Department of Housing and
26 Urban Development for a one-bedroom apartment.

28 D. "Fair market rent area" means the metropolitan area or
29 nonmetropolitan county, as determined by the United States
30 Department of Housing and Urban Development, in which a fair
31 market rent applies.

34 E. "Taxpayer incentive payment" means any grant payment or
35 tax credit, reimbursement or forgiveness made pursuant to:

36 (1) The business equipment tax reimbursement under
37 Title 36, chapter 915;

40 (2) The Maine Employment Tax Increment Financing Act;

42 (3) The jobs and investment tax credit under Title 36,
43 section 5215;

44 (4) The research expense tax credit under Title 36,
45 section 5219-K; or

48 (5) The shipbuilding facility credit under Title 36,
49 chapter 919.

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