

# MAINE STATE LEGISLATURE

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# 123rd MAINE LEGISLATURE

## FIRST REGULAR SESSION-2007

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Legislative Document

No. 412

H.P. 328

House of Representatives, January 29, 2007

### An Act To Clarify the Application of Prevailing Wage Requirements

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Reference to the Committee on Labor suggested and ordered printed.

*Millicent M. MacFarland*  
MILLICENT M. MacFARLAND  
Clerk

Presented by Representative CLARK of Millinocket.  
Cosponsored by Senator STRIMLING of Cumberland and  
Representatives: BURNS of Berwick, DRISCOLL of Westbrook, TUTTLE of Sanford.

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

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

4 **§1314. Exceptions**

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

12 **SUMMARY**

13 This bill clarifies that in publicly funded construction projects under the jurisdiction  
14 of the federal Davis-Bacon Act or other federal act, minimum wages and benefits are the  
15 higher of the federal and state rates.