

# MAINE STATE LEGISLATURE

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ONE HUNDRED AND FIFTH LEGISLATURE

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**Legislative Document**

**No. 207**

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H. P. 152

House of Representatives, January 19, 1971

Referred to Committee on Labor. Sent up for concurrence and ordered printed.

BERTHA W. JOHNSON, Clerk

Presented by Mr. Ross of Bath.

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STATE OF MAINE

IN THE YEAR OF OUR LORD NINETEEN HUNDRED  
SEVENTY-ONE

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**AN ACT Relating to Definition of Construction Under Board of Construction  
Safety Rules and Regulations.**

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

R. S., T. 26, § 371, sub-§ 4, amended. The 2nd sentence of subsection 4 of section 371 of Title 26 of the Revised Statutes is repealed as follows:

~~The term "construction" shall apply to persons and corporations engaged for hire, or by virtue of a contract.~~

STATEMENT OF FACT

The purpose of this amendment is to clarify the confusion that presently exists as to whether municipal public works such as sewer construction is under our safety jurisdiction.

It is the experience of our inspectors that many hazardous conditions exist especially in trenching operations. When such have been called to the attention to the municipal government they have been most cooperative and made necessary corrections.

However, a question could be raised as to our authority as public works departments are not for hire.