

# MAINE STATE LEGISLATURE

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# ONE HUNDRED AND SIXTH LEGISLATURE

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## Legislative Document

No. 950

S. P. 301

In Senate, February 20, 1973

Referred to the Committee on Natural Resources. Sent down for concurrence and ordered printed.

HARRY N. STARBRANCH, Secretary

Presented by Senator Aldrich of Oxford.

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## STATE OF MAINE

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IN THE YEAR OF OUR LORD NINETEEN HUNDRED  
SEVENTY-THREE

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### AN ACT Relating to Pollution Control Costs on Construction Projects.

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

R. S., T. 5, § 1746, amended. Section 1746 of Title 5 of the Revised Statutes, as amended, is further amended by adding a new paragraph at the end to read as follows:

Any contract made or awarded by the State, political subdivision or department or official thereof shall include the cost of necessary pollution control, if any, which will be required during the execution of the contract; provided, the cost of pollution control activity which is required by legislation or regulation, passed or promulgated after the date on which bids are received for the project for which such contract is made or awarded, shall be paid for on a force account basis and the installation of such controls shall be under the direction of the contracting officer. Force account shall mean the sum of the costs of all labor, including withholding taxes and insurance, materials and equipment rental. To the sum shall be added a fixed percentage as determined by the contracting agency for overhead and profit.

### STATEMENT OF FACT

The purpose of this bill is to provide financial protection to the general contractor in those instances where environmental legislation, regulations, or both, which require additional construction expense, become effective after bids are received for the project.