

MAINE STATE LEGISLATURE

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(New Draft of H.P. 727, L.D. 936)
(New Title)

FIRST REGULAR SESSION

ONE HUNDRED AND ELEVENTH LEGISLATURE

Legislative Document

No. 1417

H.P. 1090

House of Representatives, April 7, 1983

Reported by Representative Thompson from the Committee on Education
and printed under Joint Rule 2.

EDWIN H. PERT, Clerk

STATE OF MAINE

IN THE YEAR OF OUR LORD
NINETEEN HUNDRED AND EIGHTY-THREE

An Act Concerning the Hiring of
"Clerk-of-the-works" for the Inspection of
Public Improvements.

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

5 MRSA §1751 is enacted to read:

§1751. Employment of a clerk-of-the-works

A clerk-of-the-works shall be employed to assist
in the inspection of the construction of a public
improvement when directed by the director. The clerk
shall report directly to the professional
architect-engineer of record for the project. The
budget for the public improvement shall include fund-
ing for the clerk. The clerk shall be hired through

1 an open advertising and interview process by the
2 architect-engineer. The clerk candidate recommended
3 by the architect-engineer shall be approved by both
4 the owner and director before being hired. The clerk
5 shall possess qualifications of education and experi-
6 ence in construction technology and administration
7 compatible with the needs of the public improvement.
8 The director may promulgate rules relative to this
9 section.

10 STATEMENT OF FACT

11 This bill provides a consistant and orderly pro-
12 cess for providing inspection assistance for the con-
13 struction of public improvements. This bill main-
14 tains a clear accountability between the parties
15 involved in the construction process and provides for
16 approval of the clerk by the owner and the director.

17 At present, the owner and the director do not
18 have sufficient control over the selection of the
19 clerk. This bill provides that control.

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