



120th MAINE LEGISLATURE

FIRST REGULAR SESSION-2001

Legislative Document

No. 1246

H.P. 932

House of Representatives, February 28, 2001

An Act to Increase the Penalty for a Violation of Certain Occupational Health and Labor Laws.

Reference to the Committee on Labor suggested and ordered printed.

Millicent M. Mac Jailand

MILLICENT M. MacFARLAND, Clerk

Presented by Representative MATTHEWS of Winslow. Cosponsored by Senator EDMONDS of Cumberland and Representatives: HUTTON of Bowdoinham, TARAZEWICH of Waterboro.

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

Sec. 1. 26 MRSA §1402, sub-§2, as amended by PL 1999, c. 57, Pt. B, $\S7$, is further amended to read: 4

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2. Debarment. The Department of Labor shall, after

hearing, debar from participation in state contracts for 2 5 years any person, partnership, corporation or other public or 8 private entity found to have committed a serious, willful violation or serious, repeated violations of a standard under the 10 United States Occupational Safety and Health Act of 1970, United States Code, Title 29, Chapter 15; the National Labor Relations 12 Act, 29 United States Code, Sections 151 to 169 (2000); or the 14 federal Fair Labor Standards Act, 29 United States Code, Sections 201 to 219 (2000), and either the time for filing an appeal of 16 the determination of that violation has expired or the appeals process has been exhausted.

SUMMARY

22 This bill provides that the Department of Labor shall prohibit from participation in state contracts for 5 years any 24 person, partnership, corporation or other public or private entity found to have committed a serious, willful violation or 26 serious, repeated violations of a standard under the United States Occupational Safety and Health Act of 1970, the National Labor Relations Act or the federal Fair Labor Standards Act. 28 Current law provides that the department shall prohibit from 30 participation in state contracts for 2 years any person, partnership, corporation or other public or private entity for 32 such a violation of the United States Occupational Safety and Health Act of 1970.