

MAINE STATE LEGISLATURE

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122nd MAINE LEGISLATURE

FIRST REGULAR SESSION-2005

Legislative Document

No. 546

S.P. 172

In Senate, February 3, 2005

An Act to Promote Responsible Contracting Practices on State Projects

Reference to the Committee on Labor suggested and ordered printed.

A handwritten signature in cursive script that reads "Joy J. O'Brien".

JOY J. O'BRIEN
Secretary of the Senate

Presented by President EDMONDS of Cumberland.
Cosponsored by Representative DUPLESSIE of Westbrook and
Senators: BARTLETT of Cumberland, BRYANT of Oxford, STRIMLING of Cumberland,
Representatives: DUNN of Bangor, HUTTON of Bowdoinham, PATRICK of Rumford,
PINEAU of Jay.

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

4 **Sec. 1. 26 MRSA §1316** is enacted to read:

6 **§1316. Employer responsibilities**

8 **1. Employer criteria.** Notwithstanding any other provision
10 of this chapter, an employer of a laborer, worker or mechanic on
12 a project constructing, altering, repairing, furnishing or
14 equipping state buildings or public works, including state
16 highways, must:

18 **A. Possess a state and federal tax identification number;**

20 **B. Be bonded;**

22 **C. Carry liability insurance;**

24 **D. Follow the requirements for unemployment compensation**
26 **under chapter 13; and**

28 **E. Follow the requirements for workers' compensation under**
30 **to Title 39-A.**

32 **2. Health care benefits.** An employer under subsection 1
34 must provide health care coverage to employees and their
36 families. The health care coverage must be either Dirigo Health
38 Insurance pursuant to Title 24-A, chapter 87 or the equivalent of
40 the health care coverage the State provides to state employees.

42 **3. Safety training.** An employer under subsection 1 must
44 provide to employees training in construction industry safety and
46 health as provided by the United States Department of Labor,
48 Occupational Safety and Health Administration.

4. Apprenticeship program. An employer under subsection 1
must participate in an apprenticeship program or equivalent
training program to train construction workers that is recognized
by the State.

SUMMARY

This bill requires an employer on a state project to possess
a federal and state tax identification number, be bonded, carry
liability insurance and follow state requirements for
unemployment and workers' compensation insurance. The employer
must provide its employees health insurance that is Dirigo Health

2 or the equivalent of that of state employees and construction
industry safety training as provided by the United States
4 Department of Labor, Occupational Safety and Health
Administration. The employer must also participate in an
6 apprenticeship program or equivalent training program to train
construction workers.