## MAINE STATE LEGISLATURE

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		L.D. 1628
2	DATE: 1/10/06	(Filing No. H- <b>732</b> )
4	DATE: 1/10/00	(IIIIng No. 11 750V
6	LAF	
8	Major	riti)
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10	Reproduced and distributed under the House.	the direction of the Clerk of
12	STATE O	F MAINE
14	HOUSE OF REPI 122ND LEG	RESENTATIVES
16	SECOND REGU	JLAR SESSION
18	CONTENT AMENDMENT "B" to	H.P. 1146, L.D. 1628, Bill, "An
20		and Health Training for Workers
22	_	
24		he 3rd line (page 1, line 10 in
26	L.D.) by striking out the follow its place the following: '\$100.0	ring: " <u>\$10,000</u> " and inserting in 00'
28		ection 1 in that part designated of subsection 2 and inserting in
30	its place the following:	
32	'2. Deduction from contrac	t payments. The Director of the
-	Bureau of General Services	
34	Administrative and Financial	Services may deduct penalties
		.312 from payments due under a
36	·-	a contractor or subcontractor
	subject to this section.	
38	2 Wine to connects fail-	- to severet The feet that a
40		re to correct. The fact that a bject to this section has not
40		tion 1 within the permitted time
42		be considered part of the
10		safety record under Title 5,
44		by be used by the Director of the
		within the Department of
46		ervices under that section as
		olans and specifications to the
48		the purpose of bidding on a
	project. As used in this subsec	tion, "permitted time to correct
50	the violation" means:	

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2	A. Thirty days from the date of being notified of the violation; or					
4						
6	B. If the contractor or subcontractor does not employ a trainer certified to provide a 10-hour course in construction safety by the United States Occupational Safety					
8	and Health Administration, the longer of:					
10	(1) Thirty days from the date of being notified of the violation; and					
12						
14	(2) The period until the date the next 10-hour construction safety course available to the contractor's or subcontractor's employees that					
16	satisfies this section is offered by the Department of Labor within 2 hours' driving distance from the work					
18	site.'					
20	Further amend the bill by inserting at the end before the summary the following:					
22	'Sec. 2. Appropriations and allocations. The following					
24	appropriations and allocations are made.					
26	ADMINISTRATIVE AND FINANCIAL SERVICES, DEPARTMENT OF					
26 28	ADMINISTRATIVE AND FINANCIAL SERVICES, DEPARTMENT OF  Public Improvements/Planning/Construction -  Administration 0057					
	Public Improvements/Planning/Construction - Administration 0057					
28	Public Improvements/Planning/Construction -					
28	Public Improvements/Planning/Construction - Administration 0057  Initiative: Provides funds for increased contract costs					
28 30 32	Public Improvements/Planning/Construction - Administration 0057  Initiative: Provides funds for increased contract costs attributable to new training requirements.  GENERAL FUND 2005-06 2006-07 All Other \$0 \$380,960					
28 30 32 34	Public Improvements/Planning/Construction - Administration 0057  Initiative: Provides funds for increased contract costs attributable to new training requirements.  GENERAL FUND 2005-06 2006-07					
28 30 32 34 36	Public Improvements/Planning/Construction - Administration 0057  Initiative: Provides funds for increased contract costs attributable to new training requirements.  GENERAL FUND 2005-06 2006-07 All Other \$0 \$380,960					
28 30 32 34 36 38 40 42	Public Improvements/Planning/Construction - Administration 0057  Initiative: Provides funds for increased contract costs attributable to new training requirements.  GENERAL FUND 2005-06 2006-07 All Other \$0 \$380,960 GENERAL FUND TOTAL \$0 \$380,960 GENERAL FUND TOTAL					
28 30 32 34 36 38 40	Public Improvements/Planning/Construction - Administration 0057  Initiative: Provides funds for increased contract costs attributable to new training requirements.  GENERAL FUND 2005-06 2006-07 All Other \$0 \$380,960  GENERAL FUND TOTAL \$0 \$380,960  SUMMARY  This amendment, which is the majority report of the					
28 30 32 34 36 38 40 42	Public Improvements/Planning/Construction - Administration 0057  Initiative: Provides funds for increased contract costs attributable to new training requirements.  GENERAL FUND 2005-06 2006-07   All Other \$0 \$380,960  GENERAL FUND TOTAL \$0 \$380,960  SUMMARY  This amendment, which is the majority report of the committee, does the following:  1. It eliminates the penalties of removal of workers and					

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B. of S.	COMMITTEE	AMENDMENT		to	H.P.	1146,	L.D.	1628

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	deduct penalties assessed to contractors and subcontractors from
2	contract payments for public works;
4	3. It affords contractors and subcontractors 30 days to
	correct a failure to provide the required training or, if the
6	contractor or subcontractor does not have a certified trainer or
	staff, the longer of 30 days and until the date of the next
8	available and appropriate training by the Department of Labor
	that occurs within a 2-hour drive of the work site;
10	
10	4. It allows the Director of the Bureau of General Services
12	to refuse to release plans and specifications to a contractor or
	subcontractor for the purpose of bidding on a future project if
14	the contractor or subcontractor has violated the training requirements;
16	
	5. It increases the minimum size of contracts affected by
10	<del>-</del>
18	the bill from \$10,000 to \$100,000; and
20	6 The adds on communication resting to the hill
20	6. It adds an appropriation section to the bill.
22	
44	

FISCAL NOTE REQUIRED (See attached)

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## 122nd MAINE LEGISLATURE

LD 1628

LR 2023(05)

An Act Regarding Occupational Safety and Health Training for Workers on State-funded Construction Projects

Fiscal Note for Bill as Amended by Committee Amendment "B"

Committee: Labor

Fiscal Note Required: Yes

## **Fiscal Note**

	2005-06	2006-07	Projections 2007-08	Projections 2008-09
Net Cost (Savings)				
General Fund	\$0	\$380,960	\$380,960	\$380,960
Appropriations/Allocations				
General Fund	\$0	\$380,960	\$380,960	\$380,96 <sub>U</sub>

## Fiscal Detail and Notes

Implementing the proposed training requirement for state funded construction projects will require General Fund appropriations to the Department of Administrative and Financial Services of \$380,960 annually beginning in fiscal year 2006-07. This estimate assumes companies will pass on the full cost of training in their bids for state contracts.