

MAINE STATE LEGISLATURE

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L.D. 1628

DATE: 1/10/06

(Filing No. H-732)

LABOR

Majority

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STATE OF MAINE
HOUSE OF REPRESENTATIVES
122ND LEGISLATURE
SECOND REGULAR SESSION

COMMITTEE AMENDMENT "B" to H.P. 1146, L.D. 1628, Bill, "An Act Regarding Occupational Safety and Health Training for Workers on State-funded Construction Projects"

Amend the bill in section 1 in that part designated "~~\$1309-A.~~" in subsection 1 in the 3rd line (page 1, line 10 in L.D.) by striking out the following: "~~\$10,000~~" and inserting in its place the following: '\$100,000'

Further amend the bill in section 1 in that part designated "~~\$1309-A.~~" by striking out all of subsection 2 and inserting in its place the following:

'2. Deduction from contract payments. The Director of the Bureau of General Services within the Department of Administrative and Financial Services may deduct penalties assessed pursuant to section 1312 from payments due under a contract for a public work to a contractor or subcontractor subject to this section.

3. Time to correct; failure to correct. The fact that a contractor or subcontractor subject to this section has not corrected a violation of subsection 1 within the permitted time to correct the violation may be considered part of the contractor's or subcontractor's safety record under Title 5, section 1747, subsection 5 and may be used by the Director of the Bureau of General Services within the Department of Administrative and Financial Services under that section as grounds to refuse to release plans and specifications to the contractor or subcontractor for the purpose of bidding on a project. As used in this subsection, "permitted time to correct the violation" means:

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

2 deduct penalties assessed to contractors and subcontractors from
contract payments for public works;

4 3. It affords contractors and subcontractors 30 days to
6 correct a failure to provide the required training or, if the
contractor or subcontractor does not have a certified trainer on
8 staff, the longer of 30 days and until the date of the next
available and appropriate training by the Department of Labor
that occurs within a 2-hour drive of the work site;

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
18 the bill from \$10,000 to \$100,000; and

20 6. It adds an appropriation section to the bill.

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FISCAL NOTE REQUIRED
(See attached)

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COMMITTEE AMENDMENT



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	\$380,960

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.