

MAINE STATE LEGISLATURE

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STATE OF MAINE
SENATE
123RD LEGISLATURE
SECOND REGULAR SESSION

SENATE AMENDMENT "C" to H.P. 458, L.D. 591, Bill, "An Act Regarding Occupational Safety and Health Training for Workers on State-funded Construction Projects"

Amend the bill in section 1 in §1309-A in subsection 1 in the 4th and 5th lines (page 1, lines 8 and 9 in L.D.) by striking out the following: "each employee to be employed" and inserting the following: 'one employee from each company'

Amend the bill in section 1 in §1309-A in subsection 1 in the 7th line (page 1, line 11 in L.D.) by inserting after "duration." the following: 'A temporary employee who is under the direct supervision and control of a successful bidder or subcontractor is considered an employee of that successful bidder or subcontractor for the purposes of this section.'

Amend the bill in section 1 in §1309-A in subsection 1 in the 8th line (page 1, line 12 in L.D.) by inserting after "documentation" the following: 'within 30 days of when each contractor and subcontractor begins work on the project'

Amend the bill in section 1 in §1309-A by striking out all of subsection 2 and inserting the following:

'2. Penalties and enforcement. In addition to the penalties provided in section 1312, the director may assess a penalty of not more than \$1,000 per day against any contractor or subcontractor who willfully and knowingly violates this section.'

SUMMARY

This amendment requires that one employee from each company at a work site must have successfully completed a course in construction safety no shorter than 10 hours that meets the guidelines approved by the federal Occupational Safety and Health Administration. The amendment also clarifies that a temporary employee is considered an employee for purposes of the required training course. The amendment adds a provision that allows contractors and subcontractors 30 days to submit evidence that training has been completed. The amendment also removes as a penalty the authority of the Director of Labor Standards to remove from the worksite any contractor or subcontractor who knowingly violates the training requirement and replaces it with language allowing the

B.08

SENATE AMENDMENT "C" to H.P. 458, L.D. 591

1 Director of Labor Standards to assess a penalty of not more than \$1,000 per day against
2 any contractor or subcontractor who knowingly violates the training requirement.

3 SPONSORED BY: 

4 (Senator DAMON)

5 COUNTY: Hancock

FISCAL NOTE REQUIRED
(See attached)



123rd MAINE LEGISLATURE

LD 591

LR 1078(08)

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

Fiscal Note for Senate Amendment "C"

Sponsor: Sen. Damon of Hancock

Fiscal Note Required: Yes

Fiscal Note

Potential current biennium revenue increase - General Fund

Fiscal Detail and Notes

Allowing the Director of the Bureau of Labor Standards within the Department of Labor to assess a penalty of not more than \$1,000 per day against any contractor or subcontractor who violates the requirements of this legislation may increase the amount of General Fund revenue received from fines. The amount can not be determined at this time.