

Date:

(Filing No. H- )

**LABOR AND HOUSING**

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**STATE OF MAINE  
HOUSE OF REPRESENTATIVES  
130TH LEGISLATURE  
FIRST SPECIAL SESSION**

COMMITTEE AMENDMENT “ ” to H.P. 345, L.D. 469, “An Act To Ensure Safety across Maine's Construction Industry”

Amend the bill by striking out everything after the enacting clause and inserting the following:

**Sec. 1. 26 MRSA §1304, sub-§3-A** is enacted to read:

**3-A. Craft worker.** "Craft worker" means a person who is engaged in a construction trade that is eligible for coverage under a wage determination under this chapter.

**Sec. 2. 26 MRSA §1304, sub-§10** is enacted to read:

**10. Trade.** "Trade" means a construction work activity engaged in by a craft worker.

**Sec. 3. 26 MRSA §1312, sub-§1**, as amended by PL 2011, c. 403, §2, is further amended to read:

**1. Violation by contractor or subcontractor.** Except as provided in section 1308, subsection 1-A, any contractor or subcontractor who willfully and knowingly violates sections 1304 to 1313 and 1317 is subject to a forfeiture of not less than \$250.

**Sec. 4. 26 MRSA §1317** is enacted to read:

**§1317. Construction safety training requirements for craft workers**

A contractor or subcontractor employing craft workers in the construction of public works shall require mandatory safety training for all craft workers in accordance with the requirements of this section.

**1. Mandatory safety training.** A contractor or subcontractor employing craft workers in the construction of public works shall require that all craft workers on the construction work site have completed a construction safety training program that uses a curriculum approved by the United States Department of Labor, Occupational Safety and Health Administration and is at least 10 hours in duration.

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1           **2. Proof of compliance.** A contractor or subcontractor shall complete and submit  
 2 monthly to the public authority that let the contract a signed statement of compliance that  
 3 each craft worker has completed the training required in subsection 1.

4           **3. Posting of affidavit on job site.** A contractor or subcontractor shall post in a  
 5 conspicuous location at each job site a signed affidavit that the contractor or subcontractor  
 6 has met the requirements of this section.

7           **4. Rules.** The Commissioner of Labor may adopt rules to implement this section.  
 8 Rules adopted pursuant to this subsection are routine technical rules as defined in Title 5,  
 9 chapter 375, subchapter 2-A.

10           **Sec. 5. Appropriations and allocations.** The following appropriations and  
 11 allocations are made.

12           **ADMINISTRATIVE AND FINANCIAL SERVICES, DEPARTMENT OF**  
 13 **Bureau of General Services - Capital Construction and Improvement Reserve Fund**  
 14 **0883**

15 Initiative: Provides appropriations for increased construction costs due to additional safety  
 16 training requirements.

17	<b>GENERAL FUND</b>	<b>2021-22</b>	<b>2022-23</b>
18	All Other	\$10,000	\$10,000
19			
20	<b>GENERAL FUND TOTAL</b>	\$10,000	\$10,000

21

22           **ADMINISTRATIVE AND FINANCIAL**  
 23 **SERVICES, DEPARTMENT OF**  
 24 **DEPARTMENT TOTALS**

25		<b>2021-22</b>	<b>2022-23</b>
26	<b>GENERAL FUND</b>	<b>\$10,000</b>	<b>\$10,000</b>
27			
28	<b>DEPARTMENT TOTAL - ALL FUNDS</b>	<b>\$10,000</b>	<b>\$10,000</b>

29           **LABOR, DEPARTMENT OF**  
 30 **Regulation and Enforcement 0159**

31 Initiative: Provides ongoing appropriations for one Labor and Safety Inspector position and  
 32 related All Other costs to conduct investigations into potential violations of the construction  
 33 safety training requirements for craft workers.

34	<b>GENERAL FUND</b>	<b>2021-22</b>	<b>2022-23</b>
35	POSITIONS - LEGISLATIVE COUNT	1,000	1,000
36	Personal Services	\$63,597	\$87,667
37	All Other	\$6,789	\$6,789
38			
39	<b>GENERAL FUND TOTAL</b>	\$70,386	\$94,456

40

41           **LABOR, DEPARTMENT OF**  
 42 **DEPARTMENT TOTALS**

	<b>2021-22</b>	<b>2022-23</b>
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1			
2	<b>GENERAL FUND</b>	<b>\$70,386</b>	<b>\$94,456</b>
3			
4	<b>DEPARTMENT TOTAL - ALL FUNDS</b>	<b>\$70,386</b>	<b>\$94,456</b>
5	<b>TRANSPORTATION, DEPARTMENT OF</b>		
6	<b>Highway and Bridge Capital 0406</b>		
7	Initiative: Provides allocations for increased construction costs due to additional safety		
8	training requirements.		
9	<b>HIGHWAY FUND</b>	<b>2021-22</b>	<b>2022-23</b>
10	Capital Expenditures	\$10,000	\$10,000
11			
12	<b>HIGHWAY FUND TOTAL</b>	<b>\$10,000</b>	<b>\$10,000</b>
13			
14	<b>FEDERAL EXPENDITURES FUND</b>	<b>2021-22</b>	<b>2022-23</b>
15	Capital Expenditures	\$40,000	\$40,000
16			
17	<b>FEDERAL EXPENDITURES FUND TOTAL</b>	<b>\$40,000</b>	<b>\$40,000</b>
18			
19	<b>TRANSPORTATION, DEPARTMENT OF</b>		
20	<b>DEPARTMENT TOTALS</b>	<b>2021-22</b>	<b>2022-23</b>
21			
22	<b>HIGHWAY FUND</b>	<b>\$10,000</b>	<b>\$10,000</b>
23	<b>FEDERAL EXPENDITURES FUND</b>	<b>\$40,000</b>	<b>\$40,000</b>
24			
25	<b>DEPARTMENT TOTAL - ALL FUNDS</b>	<b>\$50,000</b>	<b>\$50,000</b>
26			
27	<b>SECTION TOTALS</b>	<b>2021-22</b>	<b>2022-23</b>
28			
29	<b>GENERAL FUND</b>	<b>\$80,386</b>	<b>\$104,456</b>
30	<b>HIGHWAY FUND</b>	<b>\$10,000</b>	<b>\$10,000</b>
31	<b>FEDERAL EXPENDITURES FUND</b>	<b>\$40,000</b>	<b>\$40,000</b>
32			
33	<b>SECTION TOTAL - ALL FUNDS</b>	<b>\$130,386</b>	<b>\$154,456</b>

34  
 35 Amend the bill by relettering or renumbering any nonconsecutive Part letter or section  
 36 number to read consecutively.

37 **SUMMARY**

38 This amendment changes the definition of "craft worker" and defines "trade." It also  
 39 requires a contractor or subcontractor to complete and submit monthly to the public  
 40 authority that let the contract a signed statement of compliance that each craft worker has  
 41 completed 10 hours of a safety program. It also specifies that a contractor or subcontractor

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1 who willfully and knowingly violates the Maine Revised Statutes, Title 26, section 1317 is  
2 subject to a forfeiture of not less than \$250.

3 This amendment also adds an appropriations and allocations section.

4 **FISCAL NOTE REQUIRED**

5 **(See attached)**