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Date: (Filing No. H-)

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**STATE OF MAINE
HOUSE OF REPRESENTATIVES
132ND LEGISLATURE
FIRST SPECIAL SESSION**

COMMITTEE AMENDMENT “ ” to H.P. 1166, L.D. 1748, “An Act to Enhance Businesses' Understanding of Labor Standards and Grow Maine's Energy Economy Through a Training Program”

Amend the bill by striking out the title and substituting the following:

'An Act to Enhance Businesses' Understanding of Labor Standards and Grow Maine's Energy Economy Through Project Development Information Resources'

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

'Sec. 1. 26 MRSA c. 51 is enacted to read:

CHAPTER 51

ENERGY PROJECT DEVELOPMENT INFORMATION

§3901. Energy project development information

1. Fact sheet and technical resource guide. The Department of Labor, in partnership with the Governor's Energy Office, the Public Utilities Commission and the Office of Policy Innovation and the Future, or successor governmental departments and offices having jurisdiction over energy matters, shall develop a fact sheet and technical resource guide that clearly outlines the requirements, opportunities, expectations and responsibilities detailed in state labor laws, rules and priority selection opportunities for entities developing assisted projects, as defined in section 1304, subsection 1-A, with a nameplate capacity of one megawatt or more in the State. The fact sheet and technical resource guide must:

A. Incorporate relevant information included in the Department of Labor's training on wage and hour laws compliance, with a focus on state labor and workforce requirements and benchmarks related to energy projects and programs;

COMMITTEE AMENDMENT

1 B. Include relevant labor standards, benchmarks and other necessary commitments
2 required by the State, the Public Utilities Commission, the University of Maine System
3 and any other entity responsible for administering energy generation and transmission
4 projects and programming in the State to receive preference or priority selection related
5 to requests for proposals;

6 C. Clearly outline the statutory labor requirements of contractors and subcontractors
7 performing work on energy projects;

8 D. Include information on statutory obligations of employers and the Department of
9 Labor's enforcement procedures and penalties for violations; and

10 E. Be updated as necessary and reviewed by the Department of Labor no less than
11 once per calendar year.

12 The fact sheet and technical resource guide must be disseminated to entities developing
13 assisted projects in the State no less than once per calendar year.

14 **2. Attestation of review and understanding of assisted project requirements. An**
15 **entity responsible for the development of an assisted project, as defined in section 1304,**
16 **subsection 1-A, with a nameplate capacity of one megawatt or more and the entity's chosen**
17 **prime contracting entity shall each separately attest under penalty of perjury that the entity:**

18 A. Has reviewed the materials described in subsection 1, paragraphs A to D and that
19 the entity understands the requirements as outlined;

20 B. Is aware of the resources available to assist in the entity's understanding and to
21 facilitate compliance; and

22 C. Has made all contractors and subcontractors aware of the requirements outlined in
23 subsection 1, paragraphs A to D.

24 Completed attestations must be submitted by both entities on a yearly basis to the
25 Department of Labor before work may begin on any phase of site preparation, construction,
26 retrofitting or demolition work.

27 **3. Report. Beginning February 15, 2027 and annually thereafter, the Department of**
28 **Labor shall submit to the joint standing committee of the Legislature having jurisdiction**
29 **over labor matters a report that contains the following information from the previous**
30 **calendar year:**

31 A. Data related to the number of assisted projects, as defined in section 1304,
32 subsection 1-A, with a nameplate capacity of one megawatt or more;

33 B. The number of and list of entities to which fact sheets and technical resource guides
34 were disseminated, as required under subsection 1;

35 C. Data on the instances and types of technical assistance provided by the Department
36 of Labor; and

37 D. A list of attestations received by the Department of Labor as required under
38 subsection 2.

39 The Department of Labor does not need to submit any information required in the report
40 under this subsection if that information is required to be submitted in any other report to
41 the Legislature in the same calendar year.'

1 Amend the bill by relettering or renumbering any nonconsecutive Part letter or section
2 number to read consecutively.

3 **SUMMARY**

4 This amendment replaces the bill and changes the title. The amendment provides that
5 the Department of Labor is required to partner with state entities, including the Public
6 Utilities Commission, the Governor’s Energy Office and the Office of Policy Innovation
7 and the Future, or successor governmental departments and offices having jurisdiction over
8 energy matters, to develop a fact sheet and technical resource guide that outlines the
9 requirements, opportunities, expectations and responsibilities detailed in state labor laws,
10 rules and priority selection opportunities for entities developing assisted projects in the
11 State with a nameplate capacity of one megawatt or more. The responsible entity
12 developing an assisted project and its prime contracting entity must each separately attest
13 under penalty of perjury that each entity has reviewed the fact sheet and technical resource
14 guide and that each entity is aware of resources available to assist in the entity’s
15 understanding and compliance and that all contractors and subcontractors are aware of the
16 requirements in the fact sheet and technical resource guide. The amendment also requires
17 that the department supply an annual report to the joint standing committee of the
18 Legislature having jurisdiction over labor matters beginning February 15, 2027.

19 **FISCAL NOTE REQUIRED**

20 **(See attached)**