



## **Testimony of Matt Marks in Opposition to LD 469**

*An Act To Ensure Safety across Maine's Construction Industry*

Monday, March 1, 2021 10:00 AM

Joint Standing Committee on Labor and Housing

Good Morning Senator Rafferty, Representative Sylvester, and Members of the Joint Standing Committee on Labor and Housing. My name is Matt Marks; I am a resident of Scarborough, representing the Associated General Contractors of Maine today.

AGC Maine opposes the bill as written. We support OSHA 10 training, and the decision for agencies to require the education program. However, the bill creates a complicated system when the “tools” to implement contractor requirements are existing for procurement agencies.

For example, agencies require during pre-qualification or job specific experience or education for the contractor. That might include training such work zone safety supervisor, and specific information to demonstrate the qualifications by division.

This bill creates a process that will involve the Maine Department of Labor reviewing contractor compliance for jobs across agencies. We are happy to suggest alternative language including;

- Allowing the procurement agency to require and enforce.
- Provide a grace period for compliance, “60 days from a signed contract start day” that would allow for employees to attend this specific training.
- Waiver process for job site visitors, we would encourage elimination of the term “craft worker” and simply mandate all on site if a waiver process is created.
- Elimination of posting affidavit, instead create that within a contract or pre-qualification. The added step isn't necessary.

AGC Maine offers the ten hour training course, which must occur over two days, typically in conjunction with our construction first-aid and CPR course. It's important to consider the procurement agencies already have required training depending on the type of work. For our members working on a state roads, they have to submit a work zone safety plan for review, on every project, and have trained individuals onsite. This course is no more and no less significant, and shouldn't require additional criteria.

Thank you, I am happy to answer any questions.

Respectfully submitted by,

Matt Marks, AGC Maine.