2024 -- H 7105 SUBSTITUTE A

LC003630/SUB A

STATE OF RHODE ISLAND

IN GENERAL ASSEMBLY

JANUARY SESSION, A.D. 2024

AN ACT

RELATING TO PUBLIC PROPERTY AND WORKS -- STATE PURCHASES

<u>Introduced By:</u> Representatives Bennett, McNamara, Carson, Hull, Edwards, Corvese, Baginski, Kazarian, O'Brien, and Ackerman

Date Introduced: January 10, 2024

Referred To: House Labor

It is enacted by the General Assembly as follows:

SECTION 1. Section 37-2-82 of the General Laws in Chapter 37-2 entitled "State

Purchases" is hereby amended to read as follows:

2

3

14

15

16

17

37-2-82. Utilization of North American Contractor Certification companies.

4 (a) All public works renovation projects that exceed an aggregate amount of one million dollars (\$1,000,000), and all new construction projects that exceed an aggregate amount of five 5 million dollars (\$5,000,000), that include glazing work, shall have glazing work performed by 6 7 North American Contractor Certification ("NACC") certified companies and initially, on and after 8 July 1, 2024, shall have one architectural glass and metal technician ("AGMT") certified worker 9 employed by the company or contractor. On and after January 1, 2025, each crew performing work 10 that meets the criteria of this section shall have one AGMT certified worker on site. On and after 11 January 1, 2026, for each crew performing work that meets the criteria of this section, twenty-five 12 percent (25%) of that crew shall be comprised of AGMT certified individuals on site. On and after 13 January 1, 2027, for each crew performing work that meets the criteria of the section, fifty percent

(50%) of that crew shall be comprised of AGMT certified individuals on site.(b) As used herein, the term "glazing work" includes, but is not limited to, replacement and installation of windows, curtain walls, interior glass partitions, glass handrails, aluminum entrances, skylights, store fronts, and general installation of architectural glass and metal.

18 (c)(1) The department of labor and training shall enforce the provisions of this chapter. If

19 the director, or designee, determines that a violation of these provisions has occurred, the director,

2	with a copy of the complaint or the purpose thereof, or a statement of the facts disclosed upon
3	investigation, which notice shall be served personally or by mail on any person, business,
4	corporation, or entity of any kind affected thereby.
5	(2) The person, business, corporation, or entity shall have an opportunity to be heard in
6	respect to the matters complained of at the time and place specified in the notice.
7	(3) The hearing shall be conducted by the director, or designee. The hearing officer in the
8	hearing shall be deemed to be acting in a judicial capacity, and shall have the right to issue
9	subpoenas, administer oaths, and examine witnesses. The enforcement of a subpoena issued under
10	this section shall be regulated by civil practice law and the rules of civil procedure. The hearing
11	shall be expeditiously conducted and upon such hearing the hearing officer shall determine the
12	issues raised and shall make a determination and enter an order within thirty (30) days of the close
13	of the hearing, and forthwith serve a copy of the order, with a notice of the filing, upon the parties
14	to the proceeding, personally or by mail.
15	(4) The order shall dismiss the complaint or determine that a violation of the provisions of
16	this chapter occurred. The order shall represent a final action by the department of labor and
17	training.
18	(d) Any contractor or subcontractor determined to have violated the provisions of this
19	chapter shall be subject to a civil penalty of not less than one thousand five hundred dollars (\$1,500)
20	and not greater than three thousand dollars (\$3,000), and shall be subject to the revocation of any
21	relevant professional or occupational license, if the violation is deemed to have been intentional or
22	egregious.
23	(e) This section is applicable to all public works projects that fit the other criteria as
24	provided in this section.
25	SECTION 2. This act shall take effect on January 30, 2025.
	====== LC003630/SUB A

or designee, shall order a hearing at a time and place to be specified, and shall give notice, together

1

=======

LC003630/SUB A - Page 2 of 3

EXPLANATION

BY THE LEGISLATIVE COUNCIL

OF

AN ACT

RELATING TO PUBLIC PROPERTY AND WORKS -- STATE PURCHASES

This act would give authority to the department of labor and training to enforce violations relating to the performance of glazing work. This act would also add civil monetary penalties for violations of the chapter.

This act would take effect on January 30, 2025.

=======

LC003630/SUB A

LC003630/SUB A - Page 3 of 3