

2024 -- S 2235

LC004546

STATE OF RHODE ISLAND

IN GENERAL ASSEMBLY

JANUARY SESSION, A.D. 2024

A N A C T

RELATING TO PUBLIC PROPERTY AND WORKS -- STATE PURCHASES

Introduced By: Senator Dawn M. Euer

Date Introduced: January 24, 2024

Referred To: Senate Labor

It is enacted by the General Assembly as follows:

1 SECTION 1. Section 37-2-82 of the General Laws in Chapter 37-2 entitled "State  
2 Purchases" is hereby amended to read as follows:

3 **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  
5 dollars (\$1,000,000), and all new construction projects that exceed an aggregate amount of five  
6 million dollars (\$5,000,000), that include glazing work, shall have glazing work performed by  
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  
14 (50%) of that crew shall be comprised of AGMT certified individuals on site.

15 (b) As used herein, the term "glazing work" includes, but is not limited to, replacement and  
16 installation of windows, curtain walls, interior glass partitions, glass handrails, aluminum  
17 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,

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

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EXPLANATION  
BY THE LEGISLATIVE COUNCIL  
OF  
A N A C T  
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1           This act would give authority to the department of labor and training to enforce violations  
2 relating to the performance of glazing work. This act would also add civil monetary penalties for  
3 violations of the chapter.

4           This act would take effect upon passage.

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