

PREVAILED	Roll Call No. _____
FAILED	Ayes _____
WITHDRAWN	Noes _____
RULED OUT OF ORDER	

HOUSE MOTION _____

MR. SPEAKER:

I move that House Bill 1216 be amended to read as follows:

- 1 Page 4, between lines 29 and 30, begin a new paragraph and insert:
- 2 "SECTION 5. IC 5-16-7-6 IS ADDED TO THE INDIANA CODE
- 3 AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY
- 4 1, 2011]: **Sec. 6. (a) The commissioner of the department of labor**
- 5 **appointed under IC 22-1-1-2 shall compile a list of contractors and**
- 6 **subcontractors that:**
- 7 (1) **have been found by the department of labor created under**
- 8 **IC 22-1-1-1 to have failed to pay the common construction**
- 9 **wage determined under this chapter; and**
- 10 (2) **have refused to comply with the results of an audit**
- 11 **performed by the department of labor.**
- 12 (b) **The list of contractors and subcontractors shall be published**
- 13 **on the Internet web site maintained by the department of labor on**
- 14 **a quarterly basis beginning on October 1, 2011, and on the first day**
- 15 **of each subsequent calendar quarter."**
- 16 Page 6, between lines 16 and 17, begin a new paragraph and insert:
- 17 "SECTION 9. IC 22-1-1-11, AS AMENDED BY P.L.35-2007,
- 18 SECTION 2, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
- 19 JULY 1, 2011]: **Sec. 11. The commissioner of labor is authorized and**
- 20 **directed to do the following:**
- 21 (1) **To investigate and adopt rules under IC 4-22-2 prescribing**
- 22 **what safety devices, safeguards, or other means of protection shall**
- 23 **be adopted for the prevention of accidents in every employment**
- 24 **or place of employment, to determine what suitable devices,**

- 1 safeguards, or other means of protection for the prevention of
2 industrial accidents or occupational diseases shall be adopted or
3 followed in any or all employments or places of employment, and
4 to adopt rules under IC 4-22-2 applicable to either employers or
5 employees, or both for the prevention of accidents and the
6 prevention of industrial or occupational diseases.
- 7 (2) Whenever, in the judgment of the commissioner of labor, any
8 place of employment is not being maintained in a sanitary manner
9 or is being maintained in a manner detrimental to the health of the
10 employees therein, to obtain any necessary technical or expert
11 advice and assistance from the state department of health. The
12 state department of health, upon the request of the commissioner
13 of labor, shall furnish technical or expert advice and assistance to
14 the commissioner and take the steps authorized or required by the
15 health laws of the state.
- 16 (3) Annually forward the report received from the mining board
17 under IC 22-10-1.5-5(a)(5) to the legislative council in an
18 electronic format under IC 5-14-6 and request from the general
19 assembly funding for necessary additional mine inspectors.
- 20 (4) Administer the mine safety fund established under
21 IC 22-10-12-16.
- 22 **(5) Compile a list of contractors and subcontractors that:**
23 **(A) have failed to pay the common construction wage**
24 **determined under this chapter; and**
25 **(B) have refused to comply with the results of an audit**
26 **performed by the department of labor;**
27 **and publish the compiled list on the Internet web site**
28 **maintained by the department of labor on a quarterly basis on**
29 **the first day of each calendar quarter, as required under**
30 **IC 5-16-7-6."**
- 31 Renumber all SECTIONS consecutively.
 (Reference is to HB 1216 as printed February 18, 2011.)

Representative Kersey