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**August 24, 2000**

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## ***The Construction Legislative Week in Review***

Facing a certain veto from President Clinton, Congressional leaders had the bill delivered to the White House by a farmer from Montana driving a tractor. The Death Tax bill passed the House by a vote of 279-136 on June 9<sup>th</sup> and passed the Senate by a vote of 59 to 39 on July 14<sup>th</sup>. House leaders are planning a vote to override the veto on September 7<sup>th</sup>. A two-thirds vote is required for a veto override (290 in the House and 67 in the Senate). Please contact your member of Congress and ask that they vote to override the President's veto of H.R. 8, the Death Tax Elimination Act.

**Latest Cost Analysis Prices Ergonomics Proposal at \$91 Billion Per Year:** A recent survey conducted by the Employment Policy Foundation claims that implementing the government's proposed ergonomics standard would cost U.S. businesses an average of \$91 billion each year. The report estimated the benefits of the ergonomics rule will be only \$6.1 billion annually, a fraction of its costs. The report also estimated that implementation of the ergo proposal would cost business \$129 billion in the first year alone, and

compliance costs could total \$886.6 billion over a 10-year period.

**State Officials Back Rewrite of Rules For Planning, Environmental Reviews:** State transportation officials are calling on the Clinton administration to revamp its proposed regulations aimed at implementing the planning and environmental review provisions of the Transportation Equity Act for the 21st Century.

The states say that the regulations are contrary to the intent of TEA-21 and called for the regulations to be rewritten. Thirty-five state transportation departments backed a resolution calling the regulations counterproductive and likely to increase rather than decrease the time it takes to complete projects. Hearings are planned on the proposal in the House and Senate in September.

**Congress May Refocus on Stalled Pipeline Safety Measure:** An unexplained explosion in New Mexico that killed 11 campers has called attention to the reauthorization of the Pipeline Safety Act. Several versions of the legislation are being debated. The Senate Commerce Committee passed the Pipeline Safety Improvement Act, S. 2438, in June. Controversial provisions in the legislation directing pipeline owners to regularly inspect facilities have held up the bill. The Administration's version of the reauthorization (H.R. 2409) would call for misdemeanor charges and up to one year in prison for "knowingly" engaging in excavation without using the one-call system.

**Action Requested:** Senator Tim Hutchinson (R-AR) introduced the Just Opportunity in Bidding Act (JOBs), S. 2986, before the August recess. The legislation would prevent the Administration's blacklisting regulations from being implemented until a General Accounting Office (GAO) study is finalized. That study would examine the need for the proposed regulation. This legislation mirrors the Davis-Moran Amendment that passed the House by a 228-190 vote margin. Comments on the Administration's second proposal are due August 29. AGC's comments will be available on the website. Please call your Senators to cosponsor S. 2986 at 202-225-3121.

**Two OSHA Reform Bills introduced:** H.R. 5037 would exempt employers from citations for employee conduct if they can show that they had implemented required training and provided protective equipment only to have the employees fail to follow safety procedures. H.R. 5038 would bar OSHA from citing both the General contractor and the subcontractor for the same safety violation. The general contractor could not be held liable if the subcontractor caused the safety violation, the violation did not endanger the general contractor's employees and the violation was unknown to the general contractor.

Utilize "Congress At Your Fingertips" Located in the Member's Only Section at [www.agc.org](http://www.agc.org) to contact your Congressional Representatives.

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## ***Congress Delivers Death Tax Bill to the President***

**Volume 6, Issue 32**