

MAINE STATE LEGISLATURE

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FIRST REGULAR SESSION

ONE HUNDRED AND NINTH LEGISLATURE

Legislative Document

No. 234

H. P. 187

House of Representatives, January 31, 1979

Referred to the Committee on Labor. Sent up for concurrence and ordered printed.

EDWIN H. PERT, Clerk

Presented by Mr. MacEachern of Lincoln.

STATE OF MAINE

IN THE YEAR OF OUR LORD NINETEEN HUNDRED
SEVENTY-NINE

**AN ACT to Revise the Occupational Safety and Health Law to Conform with
Federal Requirements.**

Be it enacted by the People of the State of Maine, as follows:

26 MRSA § 45 first ¶, as repealed and replaced by PL 1975, c. 519, § 6, is repealed and the following enacted in its place:

If, upon inspection, the director or any authorized agent of the bureau finds that an employer has violated any standard, rule or order promulgated pursuant to section 565, he shall immediately issue a citation to the employer. Each citation shall be in writing and shall describe with particularity the nature of the violation, including a reference to the provision of the standard, rules, regulations or order alleged to have been violated. In addition, the citation shall fix a specific time for the abatement of the violation.

STATEMENT OF FACT

The term "reasonably safe, etc" is no longer applicable and because of its vagueness, it is unenforceable. This section further requires that the rules adopted under section 565 shall be complied with.

The bill also changes the vague term "reasonable promptness" to "immediately" and "reasonable time" to "specific time."