

# MAINE STATE LEGISLATURE

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L.D. 427

STATE OF MAINE  
HOUSE OF REPRESENTATIVES (Filing No. H-129)  
109TH LEGISLATURE  
FIRST REGULAR SESSION

COMMITTEE AMENDMENT "A" to H.P. 309, L.D. 427, Bill,  
"AN ACT Relating to Revisions of the Occupational Safety and  
Health Statute and to Conform the Occupational Safety and Health  
Rules and Regulations to Federal Requirements."

Amend the Bill by striking out all of section 1 and inserting  
in its place the following:

'Sec. 1. 26 MRSA §45, first ¶, as repealed and replaced  
by PL 1975, c. 519, §6, is repealed and the following enacted  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 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 purpose of this amendment is to incorporate the complementary provisions of L.D. 234. The statement of fact to L.D. 234 reads as follows:

"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 is no longer applicable and, because of its vagueness, it is unenforceable.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 'reasonabl time' to 'specific time'."

Reported by the Committee on Labor  
Reproduced and distributed under the direction of the Clerk  
of the House.  
3/26/79 (Filing No. H-129)