

MAINE STATE LEGISLATURE

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FIRST REGULAR SESSION

ONE HUNDRED AND TENTH LEGISLATURE

Legislative Document

No. 911

S. P. 321

In Senate, February 18, 1981

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

MAY M. ROSS, Secretary of the Senate

Presented by Senator Pray of Penobscot.

Cosponsor: Senator Usher of Cumberland.

STATE OF MAINE

IN THE YEAR OF OUR LORD NINETEEN HUNDRED AND EIGHTY-ONE

AN ACT to Ensure Worker Access to Information Concerning Hazardous Substances in the Workplace.

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

26 MRSA § 1707 is enacted to read:

§ 1707. Enforcement

1. **Regulations.** The director shall carry out the purposes expressed in section 1701, subsection 1, by the promulgation of appropriate regulations.

2. **Penalty.** Any person, partnership, corporation or other legal entity who refuses to comply, in whole or part, with this chapter or with any regulations promulgated under section 1701, subsection 1, commits a civil violation for which a forfeiture not to exceed \$500 may be adjudged.

3. **Enforcement.** The Attorney General shall have primary responsibility for enforcing this chapter.

STATEMENT OF FACT

In 1979, the Legislature enacted the chemical substance identification law, Title 25, chapter 22, to tell working men and women about the chemical hazards they faced at their jobs.

However, when the Director of the Bureau of Labor attempted to put out regulations to make sure the law worked, the Attorney General ruled that the bill passed by the Legislature did not give the director the power to put out regulations. Without the power to enforce this statute, irresponsible employers may flaunt it at will.

This bill provides that the Director of the Bureau of Labor may put out regulations to make sure workers can know of the chemical hazards of their workplace, provides a civil penalty for employers who fail to comply with the law and tells the Attorney General that he has primary responsibility for enforcing the law.