MAINE STATE LEGISLATURE

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1	L.D. 1935
2	(Filing No. H-525)
3 4 5 6	STATE OF MAINE HOUSE OF REPRESENTATIVES 111TH LEGISLATURE SECOND REGULAR SESSION
7 8 9	COMMITTEE AMENDMENT " \mathcal{H} " to H.P. 1474, L.D. 1935, Bill, "AN ACT Relating to Occupational Safety and Health of Agricultural Workers."
10 11 12 13	Amend the Bill in that part designated "§581." in the 2nd sentence, 2nd line (page 1, line 34 in L.D.) by inserting after the underlined word "Labor" the following: ', with the advice of the Commissioner of Agriculture, Food and Rural Resources,'
15 16 17	Further amend the Bill in that part designated "§581." by adding at the end the following new sentence:
18 19 20 21 22	'Rules and standards implementing this section shall not apply to agricultural workplaces at which no agricultural workers other than the farm owner or operator and members of his immediate family are employed.'

COMMITTEE AMENDMENT " \boldsymbol{A} " to H.P. 1474, L.D. 1935

1 STATEMENT OF FACT

This amendment requires the Commissioner of Labor 3 obtain the advice of the Commissioner of Agricul-4 ture, Food and Rural Resources before promulgating 5 any rules on the occupational safety and health of 6 farm workers on privately owned farms. The Depart-7 of Labor already has expertise in writing and 8 enforcing rules to protect worker safety and thus is 9 the logical holder of the primary responsibility in this area, but this provision ensures that the spe-10 cial concerns of agricultural employers are fully represented in the rule-making process. The Depart-11 12 13 ment of Labor's greater familiarity with current fed-14 eral OSHA standards will also prevent preemption con-15 flicts.

16 The amendment adds an exemption for family farms 17 where no agricultural workers other than the farmer 18 and his immediate family are employed. In the event that the Department of Labor chooses to promulgate 19 20 rules concerning issues not preempted by federal OSHA standards, such as field sanitation conditions, the 21 22 Legislature believes family farms should be exempted 23 because different policies apply when no outside 24 workers needing protection are hired.

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Reported by the Majority of the Committee on Labor Reproduced and distributed under the direction of the Clerk of the House 3/15/84 (Filing No. H-525)