

MAINE STATE LEGISLATURE

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L.D. 137

(Filing No. H- 320)

STATE OF MAINE
HOUSE OF REPRESENTATIVES
112TH LEGISLATURE
FIRST REGULAR SESSION

COMMITTEE AMENDMENT "A" to H.P. 112, L.D. 137,
Bill, "AN ACT Concerning Safety and Sanitary Condi-
tions on Railroad Property."

Amend the bill by striking out everything after
the title and inserting in its place the following:

'Emergency preamble. Whereas, Acts of the Legis-
lature do not become effective until 90 days after
adjournment unless enacted as emergencies; and

Whereas, there is a need to examine the occupa-
tional health and safety of railroad workers to de-
termine if conditions warrant the enactment of state
standards to insure the health and safety of railroad
employees; and

Whereas, the Department of Labor has extensive
expertise in the occupational health and safety of
public sector employees and is fully knowledgeable
regarding generally accepted safety and health prac-
tices in the workplace; and

Whereas, numerous instances of unsafe or
unsanitary working conditions on railroad property
have been brought to the attention of the Legisla-
ture; and

Whereas, at this time the jurisdiction for en-
forcement of occupational health and safety standards
to protect railroad employees is either unclear or
not being fully enforced; and

Whereas, there is a need to conduct a study to
determine if the health and safety of railroad work-
ers are being jeopardized and, if so, whether legis-

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1 lation is necessary to protect those workers; and

2 Whereas, in the judgement of the Legislature,
3 these facts create an emergency within the meaning of
4 the Constitution of Maine and require the following
5 legislation as immediately necessary for the preser-
6 vation of the public peace, health and safety; now,
7 therefore,

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

10 1. Commissioner of Labor to conduct study. The
11 Commissioner of Labor shall conduct a study of the
12 occupational health and safety conditions to which
13 railroad employees are subject. The Commissioner of
14 Labor or his designee shall have the authority to in-
15 spect railroad property to determine if unsafe or
16 hazardous conditions exist.

17 2. Report to Legislative Committee. The Commis-
18 sioner of Labor shall report to the Joint Standing
19 Committee on Labor during the Second Regular Session
20 of the 112th Legislature with respect to the follow-
21 ing:

22 A. The occupational safety and health conditions
23 to which railroad employees are subject;

24 B. Efforts of any federal or state agency to es-
25 tablish and enforce occupational health and safe-
26 ty standards for railroad employers;

27 C. The need for state standards to protect the
28 health and safety of railroad employees on rail-
29 road property and in railroad rolling stock; and

30 D. Recommendations for legislation which would
31 assure the protection of the health and safety of
32 railroad employees if that legislation is neces-
33 sary.

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1 3. **Appropriation.** There is appropriated from
2 the General Fund the sum of \$1,500 for fiscal year
3 ending June 30, 1985, for the purposes of carrying
4 out this Act. Any unexpended balances shall not
5 lapse but shall remain in a continuing carrying ac-
6 count until February 1, 1986.

7 **Emergency clause.** In view of the emergency cited
8 in the preamble, this Act shall take effect when ap-
9 proved.

10

STATEMENT OF FACT

11 The purpose of this amendment is to provide for a
12 study of the occupational health and safety condi-
13 tions in railroad workplaces in order to determine
14 whether or not the health and safety of railroad
15 workers are being jeopardized. In addition, the
16 amendment directs the Commissioner of Labor to report
17 to the Legislature on the safety and health condi-
18 tions in railroad workplaces and make recommendations
19 for any legislation which may be necessary.

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Reported by the Committee on Labor
Reproduced and distributed under the direction of the
Clerk of the House

6/4/85

(Filing No. H-320)