

MAINE STATE LEGISLATURE

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1 (EMERGENCY)
2 FIRST REGULAR SESSION
3

4 ONE HUNDRED AND TWELFTH LEGISLATURE
5

6 Legislative Document

No. 1064

8 S.P. 384

In Senate, March 19, 1985

9 Submitted by the Department of Labor pursuant to Joint Rule 24.

10 Referred to the Committee on Energy and Natural Resources. Sent down
for concurrence and ordered printed.

11 JOY J. O'BRIEN, Secretary of the Senate

Presented by Senator Gauvreau of Androscoggin.

12 Cosponsored by Representative Hale of Sanford, Representative Jacques
of Waterville and Senator Usher of Cumberland.

13 STATE OF MAINE
14

15 IN THE YEAR OF OUR LORD
16 NINETEEN HUNDRED AND EIGHTY-FIVE
17

18 AN ACT to Provide for Adequate Funding of the
19 Chemical Substance Identification Law.
20

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

24 Whereas, the Legislature recognizes the impor-
25 tance of the occupational health and safety of work-
26 ers in this State; and

27 Whereas, that recognition led to the enactment of
28 the chemical substance identification law designed to
29 ensure that workers who are exposed to hazardous sub-
30 stances in the work place receive adequate and appro-
31 priate safety training to protect them from occupa-
32 tional illnesses and injuries; and

33 Whereas, the implementation of the chemical sub-
34 stance identification law cannot be accomplished
35 without an increase in the resources available to
36 carry out the law; and

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

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

9 26 MRSA §1720, sub-§3, as enacted by PL 1983, c.
10 823, §2, is repealed and the following enacted in its
11 place:

12 3. Fees. Each employer not otherwise exempt un-
13 der this chapter shall be assessed an annual fee
14 based on the employer's annual average number of em-
15 ployees in accordance with the following schedule.

16 Annual Average
17 Number of Employees

18	<u>Equal to or</u>	<u>Less</u>	<u>Employer's</u>
19	<u>more than</u>	<u>Than</u>	<u>Fee</u>
20	<u>0</u>	<u>4</u>	<u>\$ 0</u>
21	<u>4</u>	<u>25</u>	<u>25</u>
22	<u>25</u>	<u>50</u>	<u>50</u>
23	<u>50</u>	<u>100</u>	<u>100</u>
24	<u>100</u>	<u>300</u>	<u>150</u>
25	<u>300</u>	<u>500</u>	<u>200</u>
26	<u>500 or above</u>		<u>250</u>
27			

28 The fee is payable prior to July 1st of each cal-
29 endar year.

30 Emergency clause. In view of the emergency cited
31 in the preamble, this Act shall take effect when ap-
32 proved.

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STATEMENT OF FACT

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Without an increase in resources available for the implementation of the chemical substance identification law, Public Law 1984, chapter 823, the implementation of the law will cease in 1985. Present fees under the law have generated inadequate revenues. The fee schedule proposed by this bill is designated to generate approximately \$130,000 in 1985.

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The \$130,000 would enable ongoing implementation of the law in fiscal year 1985-86 and would be more consistent with the \$160,000 annual allocation provided by the law. In addition, the law would become more "self-financing," as it was originally intended, and the fees will be more equitable to employers than flat fees. Employers with smaller work forces likely to require less training assistance would pay lower fees than employers with larger work forces requiring greater assistance.

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