

MAINE STATE LEGISLATURE

The following document is provided by the
LAW AND LEGISLATIVE DIGITAL LIBRARY
at the Maine State Law and Legislative Reference Library
<http://legislature.maine.gov/lawlib>



Reproduced from scanned originals with text recognition applied
(searchable text may contain some errors and/or omissions)

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28
29
30
31
32
33
34
35

(EMERGENCY)
(New Draft of S.P. 384, L.D. 1064)
FIRST REGULAR SESSION

ONE HUNDRED AND TWELFTH LEGISLATURE

Legislative Document No. 1405

S.P. 521 In Senate, April 25, 1985

Reported by Senator Emerson of Penobscot from the Committee on Energy and Natural Resources and printed under Joint Rule 2. Original bill presented by Senator Gauvreau of Androscoggin. Cosponsored by Representative Hale of Sanford, Representative Jacques of Waterville and Senator Usher of Cumberland.

JOY J. O'BRIEN, Secretary of the Senate

STATE OF MAINE

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

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

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

Whereas, the Legislature recognizes the importance of the occupational health and safety of workers in this State; and

Whereas, that recognition led to the enactment of the chemical substance identification law designed to ensure that workers who are exposed to hazardous substances in the work place receive adequate and appropriate safety training to protect them from occupational illnesses and injuries; and

Whereas, the implementation of the chemical substance identification law cannot be accomplished

1 without an increase in the resources available to
2 carry out the law; and

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

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

11 Sec. 1. 26 MRSA §1720, sub-§3, as enacted by PL
12 1983, c. 823, §2, is repealed and the following en-
13 acted in its place:

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

18 Annual Average
19 Number of Employees

20	<u>Equal to or</u>	<u>Less</u>	<u>Employer's</u>
21	<u>more than</u>	<u>Than</u>	<u>Fee</u>
22	0	4	\$ 0
23	4	25	15
24	25	50	50
25	50	100	150
26	100	300	200
27	300	500	250
28	500 or above		300
29			

30 The fee is payable prior to July 1st of each calendar
31 year.

32 Sec. 2. 26 MRSA §1724, as enacted by PL 1983, c.
33 823, §2, is amended to read:

34 §1724. Report to Legislature; excess fees; progress

35 Each year by March 15th the director shall report
36 to the Legislature on the Bureau of Labor Standard's

1 experience under this chapter, including progress in
2 implementation, the status of the training assistance
3 program, evidence of improved safety records, and any
4 recommendation on fee structure. Any amount of
5 these fees collected in a year that exceeds the allo-
6 cation from the Training Assistance Fund for that
7 year shall be applied so as to reduce fees levied on
8 employers under this chapter in the succeeding year.

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

12 STATEMENT OF FACT

13 This new draft substitutes a new fee structure
14 that reduces the burden on small businesses. From the
15 Department of Labor records on the number of busi-
16 nesses subject to these fees, the total amount raised
17 for the dedicated Training Assistance Fund is esti-
18 mated to be \$138,560, an increase of approximately
19 \$114,000 from the amount currently generated by the
20 interim \$10 flat fee. This new draft also requires
21 that the department report annually on progress in
22 the training program and on benefits of the program
23 in terms of workplace safety.

24 3230041885