

MAINE STATE LEGISLATURE

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(Emergency)
SECOND REGULAR SESSION

ONE HUNDRED AND THIRTEENTH LEGISLATURE

Legislative Document

No. 1986

S.P. 727

In Senate, January 7, 1988

Submitted by the Department of Administration pursuant to
Joint Rule 24.

Reference to the Committee on Appropriations and Financial
Affairs suggested and ordered printed.

JOY J. O'BRIEN, Secretary of the Senate

Presented by President PRAY of Penobscot.

Cosponsored by Senator PERKINS of Hancock, Representative
CARTER of Winslow, Representative HIGGINS of Scarborough.

STATE OF MAINE

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

1 **RESOLVE, Authorizing the Commissioner of**
2 **Administration to Implement the Final Plan for**
3 **Expenditure of the \$6,000,000 Bond Issue to**
4 **Identify and Correct Asbestos Problems in**
5 **State Facilities.**
6

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

11 Whereas, the Second Special Session of the 112th

1 Legislature, enacted Private and Special Law 1985,
2 chapter 140, "AN ACT to Authorize a Bond Issue in the
3 Amount of \$6,000,000 to Deal with Asbestos in State
4 Facilities"; and

5 Whereas, the voters of the State approved the bond
6 issue at the November 4, 1986 statewide election; and

7 Whereas, the Legislature, as directed by Private
8 and Special Law 1985, chapter 140, must approve the
9 Commissioner of Administration's plan for removal and
10 containment of asbestos in state facilities prior to
11 any expenditure of the \$6,000,000 bond proceeds; and

12 Whereas, the First Regular Session of the 113th
13 Legislature, enacted Resolve 1987, chapter 5, which
14 authorized the Commissioner of Administration to
15 implement a plan for the conduct of a survey and the
16 subsequent removal and containment of asbestos in
17 state facilities; and

18 Whereas, the First Regular Session of the 113th
19 Legislature, enacted Resolve 1987, chapter 73, which
20 authorized modifications to the asbestos management
21 plan; and

22 Whereas, the state facilities survey, required by
23 Private and Special Law 1985, chapter 140, has been
24 completed and a final priority plan for asbestos
25 management, dated February 8, 1988, has been submitted
26 by the Commissioner of Administration and endorsed by
27 the labor-management committee; and

28 Whereas, immediate implementation of a priority
29 plan is necessary to ensure effective management of
30 asbestos problems in state facilities; and

31 Whereas, in the judgment of the Legislature, these
32 facts create an emergency within the meaning of the
33 Constitution of Maine and require the following
34 legislation as immediately necessary for the
35 preservation of the public peace, health and safety;

1 now, therefore, be it

2 Commissioner of Administration to implement
3 final plan for expenditure of \$6,000,000 bond
4 proceeds. Resolved: That the Commissioner of
5 Administration, having completed a physical survey of
6 all state facilities and having submitted a final plan
7 for asbestos management to the Joint Standing
8 Committee on Appropriations and Financial Affairs for
9 its review and to the Second Regular Session of the
10 113th Legislature for its approval, is authorized to
11 implement the final plan for expenditure of the
12 \$6,000,000 bond issue as described in that plan.

13 Emergency clause. In view of the emergency
14 cited in the preamble, this resolve shall take effect
15 when approved.

16 STATEMENT OF FACT

17 Private and Special Law 1985, chapter 140, which
18 established an asbestos management program for state
19 facilities, required the Commissioner of
20 Administration and the Joint Standing Committee on
21 Labor to conduct a survey of state facilities and to
22 develop a plan for the removal and containment of
23 asbestos in those facilities. That plan is to be
24 submitted to the Joint Standing Committee on
25 Appropriations and Financial Affairs. The Legislature
26 is to adopt or modify the plan, after review.

27 Several interim plans have been submitted and
28 approved by the Legislature so that abatement
29 activities could be conducted while the survey was
30 completed. The survey is completed, and this
31 resolution transmits the results and a recommended
32 plan for review and action by the Legislature.

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