

# MAINE STATE LEGISLATURE

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SECOND REGULAR SESSION

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ONE HUNDRED AND THIRTEENTH LEGISLATURE

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Legislative Document

NO. 2068

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H.P. 1515                      House of Representatives, January 15, 1988  
Reported by Representative TARDY from the Committee on  
Agriculture pursuant to Resolves 1987, Chapter 50.  
Reference to the Committee on Agriculture suggested and  
printing ordered under Joint Rule 18.

EDWIN H. PERT, Clerk

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STATE OF MAINE

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

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1                      **AN ACT to Assist Agricultural Employers**  
2                                      **in Complying with Federal Hazard**  
3                                      **Communication Rules.**  
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5                      Be it enacted by the People of the State of Maine as  
6                      follows:

7                      **Sec. 1.**     22 MRSA §1471-M, sub-§4 is enacted to  
8                      read:

1           4. Assistance to agricultural employers. The  
2 Board of Pesticides Control, upon request, shall  
3 provide assistance to employers regulated by the  
4 Department of Agriculture, Food and Rural Resources in  
5 the development and conduct of training programs for  
6 employees with respect to hazardous chemicals which  
7 are pesticides and in satisfying the information  
8 requirements of the federal Occupational Safety and  
9 Health Administration's Hazard Communication Standard  
10 and the United States Environmental Protection  
11 Agency's Emergency Planning and Community  
12 Right-to-Know Act of 1986, Public Law 99-499.

13           **Sec. 2.**     26 MRSA §61, sub-§2, as repealed and  
14 replaced by PL 1987, c. 559, Pt. B, §8, is amended to  
15 read:

16           2. Source of funds. The commissioner shall  
17 annually assess a levy based on actual annual workers'  
18 compensation paid losses, excluding medical payments,  
19 paid in the previous calendar year by employers under  
20 Title 39, the Workers' Compensation Act. As soon as  
21 practicable after July 1st of each year, the  
22 commissioner shall assess upon and collect from each  
23 insurance carrier licensed to do workers' compensation  
24 business in the State, and each group and individual  
25 self-insured employer authorized to make workers'  
26 compensation payments directly to their employees, a  
27 sum equal to that proportion of the current fiscal  
28 year's appropriation, exclusive of any federal funds,  
29 for the safety education and training division which  
30 the total workers' compensation benefits, exclusive of  
31 medical payments, paid by each carrier or each group  
32 or individual self-insured employer, bear to the total  
33 of benefits paid by all carriers, and group and  
34 individual self-insured employers, during the previous  
35 calendar year, except that the total amount levied  
36 annually may not exceed 1% of the total of the  
37 compensation benefits paid by all carriers, and group  
38 and individual self-insured employers during the  
39 previous calendar year. Assessments under this  
40 section shall include sufficient funds to provide  
41 \$40,000 for training and information activities  
42 conducted by the Board of Pesticides Control.



1 This bill is a result of a study of pesticide  
2 regulation by the Joint Standing Committee on  
3 Agriculture. Recent changes in federal regulations  
4 under the United States Environmental Protection  
5 Agency and the Occupational Safety and Health  
6 Administration will require additional reporting and  
7 training to be conducted by employers where pesticides  
8 are present. The bill provides funds to establish a  
9 position in the Board of Pesticides Control for a  
10 person to provide employers, on request, with  
11 assistance in complying with the federal Occupational  
12 Safety and Health Administration's Hazard  
13 Communication Standard and the United States  
14 Environmental Protection Agency's Community  
15 Right-to-Know Act insofar as they apply to pesticides.

16 This bill would result in an increase in dedicated  
17 revenue to the Safety Education and Training Fund in  
18 the amount of \$40,000 for fiscal year 1988-89. This  
19 estimated revenue would be derived from the proposed  
20 increase in the annual assessment of participating  
21 insurance carriers and self-insured employers.

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