

# MAINE STATE LEGISLATURE

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# 114th MAINE LEGISLATURE

FIRST REGULAR SESSION - 1989

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Legislative Document

No. 1634

H.P. 1179

House of Representatives, May 11, 1989

Reference to the Committee on Business Legislation suggested and ordered printed.

A handwritten signature in cursive script that reads "Ed Pert".

EDWIN H. PERT, Clerk

Presented by Representative MICHAUD of East Millinocket.

Cosponsored by Representative COLES of Harpswell, Representative JACQUES of Waterville and Senator KANY of Kennebec.

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STATE OF MAINE

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

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An Act to Revise the Asbestos Certification Law.

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

3 Sec. 1. 38 MRSA §1272, sub-§6, as enacted by PL 1987, c. 448,  
5 §1-C, is amended to read:

7 6. Asbestos abatement worker. "Asbestos abatement worker"  
9 means ~~an employee of an~~ any worker performing asbestos abatement  
11 ~~contractor engaged in asbestos abatement~~ activity under ~~the~~  
13 ~~supervision of an asbestos abatement project supervisor~~ for any  
15 employer.

17 Sec. 2. 38 MRSA §1272, sub-§14, as enacted by PL 1987, c. 448,  
19 §1-C, is repealed.

21 Sec. 3. 38 MRSA §1273, sub-§3, as enacted by PL 1987, c. 448,  
23 §1-C, is repealed.

25 Sec. 4. 38 MRSA §1274, sub-§5, as enacted by PL 1987, c. 448,  
27 §1-C, is amended to read:

29 5. Asbestos abatement worker. All employees engaged in  
31 asbestos abatement activities and not otherwise certified under  
33 this chapter shall be certified as asbestos abatement workers.  
35 To qualify for certification, an applicant shall show evidence  
37 satisfactory to the commissioner that he the applicant has  
39 completed 32 hours of training in a training course certified by  
41 the commissioner as appropriate for the safe and proper removal,  
43 encapsulation or handling of asbestos. ~~The commissioner shall~~  
45 ~~provide for interim certification for a period not to exceed 30~~  
~~days upon completion of a worker orientation program approved by~~  
~~the commissioner.~~

33

## 35 STATEMENT OF FACT

37 The law requiring training and certification of people  
39 engaged in asbestos abatement activities currently exempts those  
41 employees working on asbestos abatement activities in buildings  
43 owned or leased by their employers. There is no evidence that  
45 the risk to the worker is any less serious than that of an  
employee of a contractor. In fact, it would seem that the worker  
who is exposed daily to the asbestos hazard should be at least as  
well trained as the employee who works for a contractor in the  
facility.

47 Current law does not address the number of hours of training  
49 required for asbestos abatement workers. This bill provides that  
32 hours are required for all employees performing asbestos  
abatement work.