

MAINE STATE LEGISLATURE

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L.D. 1447

DATE: *May 30, 1997*

(Filing No. S-381)

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STATE OF MAINE
SENATE
118TH LEGISLATURE
FIRST SPECIAL SESSION

SENATE AMENDMENT "A" to COMMITTEE AMENDMENT "A" to H.P. 1030, L.D. 1447, "Resolve, to Establish a Committee to Review the Asbestos Hazard Emergency Response Act"

Amend the amendment by striking out the substitute title and replacing it with the following:

'Resolve, to Require the Department of Environmental Protection to Review the Asbestos Hazard Emergency Response Act of 1986'

Further amend the amendment by striking out everything after the title change and inserting in its place the following:

'Further amend the resolve by striking out everything after the title and before the summary and inserting in its place the following:

'Sec. 1. Study. Resolved: That the Department of Environmental Protection shall review, within its existing budgeted resources, the federal Asbestos Hazard Emergency Response Act of 1986, 15 United States Code, Section 2641 et seq. as it relates to asbestos abatement in Maine schools to determine the appropriateness of the State's current response to asbestos abatement in schools throughout Maine. In conducting the review the department may include, but is not limited to, an examination of the following professional literature:

1. Breaking the Vicious Circle; Toward Effective Risk

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SENATE AMENDMENT "A" to COMMITTEE AMENDMENT "A" to H.P. 1030, L.D. 1447

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Regulation. Stephen G. Breyer, Harvard University Press, Cambridge, 1993;

2. "Proceedings: Symposium on Health Aspects of Exposure to Asbestos in Buildings." Harvard University Energy and Environmental Policy Center, 1988;

3. "Asbestos: Scientific Developments and Implication of Public Policy." Science, Washington, D.C., January 19, 1990;

4. "The Toxic Tort that Won't Die." The Wall Street Journal, July 10, 1996; and

5. "High Court to Hear Two Cases on Asbestos Exposure." The New York Times, November 2, 1996; and be it further

Sec. 2. Consultation required. Resolved: That the Department of Environmental Protection shall consult with the Bureau of General Services within the Department of Administrative and Financial Services and the Department of Education prior to and during the review; and be it further

Sec. 3. Report. Resolved: That the Department of Environmental Protection shall submit its report, together with any necessary implementing legislation, to the First Regular Session of the 119th Legislature by January 1, 1999.'

FISCAL NOTE

The amendment eliminates the General Fund cost to the Legislature, \$1,000 and \$2,100 in fiscal years 1997-98 and 1998-99, respectively, by removing those parts of the bill that established the Committee to Review the Asbestos Hazard Emergency Response Act of 1986. The Legislature will also realize savings related to providing staffing assistance to the committee.

The additional costs associated with reviewing issues related to asbestos abatement in Maine schools and providing a report to the Legislature must be absorbed by the Department of Environmental Protection utilizing existing budgeted resources.

The Department of Administrative and Financial Services and the Department of Education can absorb the costs to consult with the department during the review utilizing existing budgeted resources.

SENATE AMENDMENT

SENATE AMENDMENT "A" to COMMITTEE AMENDMENT "A" to H.P. 1030,
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SUMMARY

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This amendment requires the Department of Environmental Protection, rather than a committee, to conduct the study. The amendment changes the reporting date to January 1, 1999.

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SPONSORED BY:

Michael H. Michaud

(Senator MICHAUD)

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COUNTY: Penobscot

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