

MAINE STATE LEGISLATURE

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118th MAINE LEGISLATURE

FIRST REGULAR SESSION-1997

Legislative Document

No. 1447

H.P. 1030

House of Representatives, March 11, 1997

**Resolve, to Establish a Committee to Review the Asbestos Hazard
Emergency Response Act.**

Reference to the Committee on Education and Cultural Affairs suggested and ordered printed.

A handwritten signature in cursive script that reads "Joseph W. Mayo".

JOSEPH W. MAYO, Clerk

Presented by Representative GIERINGER of Portland.
Cosponsored by Senator CAREY of Kennebec and
Representatives: BIGL of Bucksport, CROSS of Dover-Foxcroft, FRECHETTE of Biddeford,
LAYTON of Cherryfield, O'NEAL of Limestone, PINKHAM of Lamoine, SAMSON of Jay,
SIROIS of Caribou.

2 **Sec. 1. Committee established. Resolved:** That the Committee to
Review the Asbestos Hazard Emergency Response Act of 1986,
4 referred to in this resolve as the "committee," is established
for the purpose of reviewing the federal Asbestos Hazard
6 Emergency Response Act of 1986, 15 United States Code, Sections
2641 et seq. as it relates to asbestos abatement in Maine
schools; and be it further

8
10 **Sec. 2. Committee membership. Resolved:** That the committee
consists of 6 members with expertise in the use, removal or study
12 of chemicals and asbestos. Of the 6 members, 2 are appointed by
the Governor, 2 are appointed by the Speaker of the House of
14 Representatives and 2 are appointed by the President of the
Senate; and be it further

16 **Sec. 3. Appointments; meetings. Resolved:** That all
appointments must be made no later than 30 days following the
18 effective date of this resolve. The Executive Director of the
Legislative Council must be notified by all appointing
20 authorities once the selections have been made. Within 15 days
after the appointment of all members, the Chair of the
22 Legislative Council shall call and convene the first meeting of
the committee. The committee shall select a chair from among its
24 members; and be it further

26 **Sec. 4. Duties. Resolved:** That the committee shall review the
federal Asbestos Hazard Emergency Response Act of 1986 to
28 determine the appropriateness of the State's current response to
asbestos abatement in schools throughout Maine. In conducting
30 the review the committee may include, but not be limited to, an
examination of the following professional literature:

32 1. Breaking the Vicious Circle; Toward Effective Risk
34 Regulation. Stephen G. Breyer, Harvard University Press,
Cambridge, 1993;

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

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

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

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

2 **Sec. 5. Staff assistance. Resolved:** That the committee shall
request staffing assistance from the Legislative Council; and be
it further

4
6 **Sec. 6. Reimbursement. Resolved:** That all members of the
committee who are not state employees are entitled to
reimbursement for expenses as defined in the Maine Revised
8 Statutes, Title 5, section 12002, upon application to the
Executive Director of the Legislative Council for those expenses;
10 and be it further

12 **Sec. 7. Report. Resolved:** That the committee shall submit its
report, together with any necessary implementing legislation, to
14 the First Regular Session of the 119th Legislature by February 1,
1999. If the committee requires an extension, it may apply to
16 the Legislative Council, which may grant the extension.

18
SUMMARY

20
22 This resolve establishes the Committee to Review the
Asbestos Hazard Emergency Response Act of 1986 for the purpose of
24 reviewing the federal act as it relates to asbestos abatement in
schools throughout this State.