

MAINE STATE LEGISLATURE

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M
R. O. S.

L.D. 40

DATE: 4.1.05

(Filing No. S-66)

NATURAL RESOURCES

Reported by:

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STATE OF MAINE
SENATE
122ND LEGISLATURE
FIRST REGULAR SESSION

COMMITTEE AMENDMENT "A" to S.P. 20, L.D. 40, Bill, "An Act To Require That All Persons Engaging in Asbestos Abatement Activities Be Subject to Licensing and Certification Requirements"

Amend the bill by striking out the title and substituting the following:

'An Act To Amend the Licensing and Certification Requirements Relating to Asbestos Abatement Activities'

Further amend the bill by inserting after section 1 the following:

'Sec. 2. 38 MRSA §1281, as enacted by PL 1987, c. 448, §1-C, is amended to read:

§1281. Emergency provisions

In an emergency that results from a sudden, unexpected event that is not a planned asbestos abatement project, including the emergency repair, installation, removal or servicing of heating equipment in single-unit residential buildings by persons licensed by the Oil and Solid Fuel Board under Title 32, chapter 33, the commissioner may waive the requirements for a license or certificate under this chapter. For the purposes of this section, emergency includes a sudden unexpected event that, if not immediately attended to, presents a safety or health hazard; operations necessitated by nonroutine failures of equipment or by to protect equipment from damage; and actions of fire and emergency medical personnel pursuant to duties within their official capacities. Any person who performs an asbestos abatement activity, which activity would normally require

COMMITTEE AMENDMENT

RdS

COMMITTEE AMENDMENT " " to S.P. 20, L.D. 40

2 notification pursuant to section 1273, ~~subsections~~ subsection 2
and-3, under emergency conditions, shall notify the commissioner
4 by phone within one working day and in writing within 3 days
after performance of that activity.'

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SUMMARY

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10 This amendment clarifies that the Commissioner of
Environmental Protection may waive the licensing or certification
12 requirement for asbestos abatement activities undertaken by
persons licensed by the Oil and Solid Fuel Board who perform
14 emergency repair, installation, removal or servicing of heating
equipment in single-unit residential buildings.

16

FISCAL NOTE REQUIRED
(See attached)

18



122nd MAINE LEGISLATURE

LD 40

LR 0041(02)

An Act to Require That All Persons Engaging in Asbestos Abatement Activities Be Subject to Licensing and Certification Requirements

Fiscal Note for Bill as Amended by Committee Amendment " "

Committee: Natural Resources

Fiscal Note Required: Yes

Fiscal Note

Minor revenue decrease - Other Special Revenue Funds

Fiscal Detail and Notes

This legislation clarifies the authorization of the Commissioner of Environmental Protection to waive the asbestos abatement licensing and certification requirement for certain persons under certain circumstances. This may result in a reduction in dedicated revenue derived from the fees assessed for asbestos licensing and certification in an amount that can not be determined at this time.